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PENNSYLVANIA
HUMAN RELATIONS
COMMISSION

INVESTIGATORY
HEARING REPORT



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Reply to:
P. O. Box 3145
Harrisburg, Pa. 17105

SUBJECT: Investigatory Hearings - City of Harrisburg, Dauphin
County, Pennsylvania

TO: Honorable Raymond P. Shafer
Governor of the Commonwealth of Pennsylvania

and

Honorable Albert Straub
Mayor of the City of Harrisburg

FROM: Max Rosenn, Esq., Chairman
Pennsylvania Human Relations Commission

1. Forwarded herewith is the Commission Report on the Investigatory Hearings conducted in the City of Harrisburg on July 2, 8, 9, 11, 15 and 23, 1969.

2. The contents of the report are:

SECTION I Legal Basis for Conduct of Investigatory Hearings
by the Pennsylvania Human Relations Commission

SECTION II Commission Findings - Police Community Relations
and Black Coalition Charges

SECTION III Status of Commission Recommendations Previously
Published in Harrisburg in May, 1968

SECTION IV Commission Findings - Housing, Employment and
Racism in Harrisburg

SECTION V Commission Recommendations and Positive Commitments
by Authorities

SECTION VI Summary

LEGAL BASIS

For Conduct of Investigatory Hearings

By the Pennsylvania Human Relations Commission

Act Number 191 of the General Assembly of Pennsylvania (House Bill # 1516) signed into law by the Governor on October 11, 1967 and effective the 11th day of December, 1967.

Act Number 191 : AN ACT Amending the Act of October 27, 1955, (P.L. 744) entitled, as amended, "An Act prohibiting certain practices of discrimination because of race, color, religious creed, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for an educational program to prevent injustice; providing for judicial review and enforcement and imposing penalties; providing for investigatory hearings by the Commission relating to racial discrimination or tension and for the investigations by the Commission relative to civil rights demonstrations."

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 7, Act of October 27, 1955 (P.L. 44) known as the "Pennsylvania Human Relations Act", is amended by adding after clause (f), two new clauses to read:

(f.1) To investigate where no complaint has been filed but with the consent of at least eight members of the Commission any problem of discrimination with the intent of avoiding and preventing the development of racial tension.

(f.2) On request of the Governor, to investigate claims of excessive use of force by police in civil rights protest activities.

LEGAL BASIS - continued:

Act Number 191: The Pennsylvania Human Relations Act is Amended by addition after Section 8 of a new Section to read:

Section 8.1 : Investigatory Hearings Relating to Racial Problems.

Whenever any problem of racial discrimination or racial tension arises, the Commission may immediately hold an investigatory hearing. The place of any such hearing shall be in the county where the problem exists. The hearing may be public or private and the Commission shall have the same powers as provided in clause (g) for hearings on complaint filed.

The purpose of the hearing shall be to resolve the problem promptly by the gathering of the facts from all the interested parties and making such recommendations as may be necessary.

The Commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearings shall be under oath and be transcribed.

Should the recommendations of the Commission not be accepted within a reasonable time the Commission may, with the consent of eight members, on its own behalf, initiate a complaint and the hearing findings and Commission order shall proceed the same as where a complaint has been filed.

PHRC Investigatory Hearings
Harrisburg - July, 1969

SECTION - II

COMMISSION FINDINGS

SECTION -- II : Commission Findings:

P R O L O G U E

During the period of the last ten days in June, 1969, there occurred in the City of Harrisburg civil disorders of such magnitude as to require reinforcement of City Police by State Police and to require such stringent control measures as the application of city-wide curfew at the direction of the Office of the Mayor.

This civil strife and unrest, racial in nature, cumulative in intensity, had fomented such tension and emotion as to negate effective and rational communication between the city authorities and the residents of the Black communities of the City.

Irresponsible youths added to chaos, fear and racial hatreds in this tense situation by firebombings resulting in the destruction of property and the damage or obliteration of several small businesses. Many innocent persons were injured by the senseless stoning of passing vehicles and firemen responding to calls to protect lives and property were the targets of bricks and bottles resulting in injuries to firemen and damage to fire equipment.

A Black youth had been fatally shot by an officer of the Harrisburg Police Force during the course of the disturbances. The venting of hostilities and uncontrolled emotion over-ruled common sense and decency.

Meaningful action by concerned agencies, officials and individuals, both Black and white, striving to develop intercommunication and full equality of opportunity in all areas of civil concern, had come to a halt due to the situation of violence and racial tension.

The Black Coalition of the City of Harrisburg and the Mayor of the City of Harrisburg, independently of each other, each formally requested of the Honorable Raymond P. Shafer, Governor of the Commonwealth of Pennsylvania, that he direct the Pennsylvania Human Relations Commission to conduct public investigatory hearings into the racial tension situation then existant in the City of Harrisburg. Both requests to the Governor stipulated very clearly the fact that speed of action was of the essence.

On Friday the 27th of June, Governor Shafer did direct the Pennsylvania Human Relations Commission to conduct investigatory hearings, as provided by law, in the City of Harrisburg.

II. COMMISSION FINDINGS:

P R O L O G U E - Continued:

The investigatory hearings conducted by the Human Relations Commission were designed, by enabling legislation, to provide a forum for all citizens, officials and representatives of groups and organizations to air grievances and to seek solutions reasonably, away from the inflammatory emotions prevailing at times of civil disorder and racial strife. Governor Shafer, in his directive order, appealed to all citizens to utilize the Commission hearings " as the best way to air and discuss alleged injustices and to find new paths to end the differences that separate the races ".

The Pennsylvania Human Relations Commission then convened the six days of public investigatory hearings as are reported upon in this report of findings and recommendations.

The following Commissioners participated as Hearings Commissioners:

Max Rosenn, Esq., Chairman

Joseph X. Yaffe, Esq., Vice-Chairman

Mr. Stanley A. Miller, Secretary

Alvin E. Echols, Jr., Esq.

Mr. Andrew G. Freeman

Mr. Robert W. Goode

Mrs. Wilma S. Heide

John P. Leemhuis, Esq.

Dr. Robert Johnson Smith

II. COMMISSION FINDINGS:

A. General Comment:

Commission evaluation of six days of testimony and of items entered into evidence made most evident several areas of concern and points of interest worthy of general comment.

In each instance the Commission has not rendered judgement as to the guilt or innocence of individuals or groups. In several specific areas the testimony relating to the same happening or instance was, to say the least, conflicting. This in itself was symptomatic of the degree to which emotion, tension, distrust and racially based defensiveness had developed in individuals and groups deeply separated by the wide chasm between Black and white.

In those instances where individuals testifying before the Commission were also pending personal charges before a court of law, the Hearing Commissioners attempted to elicit meaningful testimony only in those areas concerning racial problems and concerns in the City of Harrisburg. In each such case, legal counsel was present to assure protection of the civil rights of the witness.

The role of the Commission in the conduct of investigatory hearings is distinct and separate from courts of law. The Commission seeks to positively develop such findings and recommendations as will open avenues and methodologies for better understanding and harmony between the races. Further, to alleviate present racial tensions and to develop such social understanding and concern as to resolve previous inequities and misunderstandings.

The civil authority or organization which is the recipient of Commission recommendations is charged by law with developing avenues and means of accomplishing those recommendations and for reporting to the Commission the status of accomplishment within a specified or reasonable period of time.

II. COMMISSION FINDINGS - Continued:

B. The Precipitating Incident:

The testimony is in conflict concerning the chain of events beginning with the arrest, on the charge of disorderly conduct, of a Black woman on Saturday evening, June 21, 1969, and culminating in the riotous Black community confrontation with police on Monday evening June 23rd.

Testimony was conflicting as to the actions causing arrest, conduct of the Black woman and police during arrest and conduct of the Black woman and police at the police station.

The information of this Black woman's arrest was widely and quickly disseminated throughout the Black communities of the City of Harrisburg. This incident was depicted in the Black communities as.... "another incident of police brutality". A protest picketing of the neighborhood business establishment where the arrest occurred was planned for Monday evening June 23rd.

On that evening, a peaceful civil protest march and picketing of this establishment was carried out as planned according to testimony by, between 50 and 100 individuals either actively participating or observing. Additional persons, mostly Black, joined in watching the picketing as time progressed.

The feelings of the Black community were most graphically illustrated by the sign carried by the Black woman who had been the subject of arrest on Saturday evening. On this sign was lettered.... "I WAS BRUTALIZED BY THE PIGS!" Also, pamphlets had been prepared and were distributed that called for boycott of the subject business establishment and to..."protest the Beating of One of Our Black Women!"

By approximately 6:45 PM Monday evening the picketing persons and the crowd of onlookers had grown to well over 100 persons and traffic at this busy intersection was impeded.

At approximately 7:00 PM 10 officers of the Harrisburg Police Department were reported to have arrived on the scene. Also present at this time was the Mayor of the City of Harrisburg. The Mayor attempted to get recognized Black leaders present to assist in dispersing the crowd.

II. COMMISSION FINDINGS:

B. The Precipitating Incident - Continued:

One of the police officers dismounted from a police vehicle carrying a riot gun (shotgun). The appearance of this weapon in the hands of a policeman incensed Black youths in the crowd. This weapon was replaced in the police vehicle only after the most vehement protests by Black leaders present.

At this point what had started as a planned peaceful civil protest against alleged wrong deteriorated into a scene of mob violence. Bricks and other objects were thrown through windows of neighborhood properties. Police officers attempting to apprehend and arrest youths then hurling projectiles became the prime targets of brick throwing youths and the most discernible cry was...."Get the Pigs!"

At this time the Mayor made telephone request of the State Police for assistance. State Police arrived on the scene after Harrisburg Police had resorted to the use of tear gas to disperse the riotous crowd. Reportedly, tear gas was not utilized until the police had been the target of brick throwing youths for several minutes.

The dispersed (fragmented) crowd, milling about and shouting, moved north on 13th Street and east on Market Street. Assaults were perpetrated on individuals, stoning of cars ensued and extensive damage to neighborhood properties occurred. A crowd of Black youths gathered at 13th and Bailey Streets where they hurled bottles, bricks and other debris at passing cars and trucks with resultant injury to several persons including women and children.

Police pressures further scattered the unruly persons. Incidents, both major and minor, continued in scattered neighborhoods throughout the night. Fires were started in several neighborhood small businesses and in vacant and occupied residences. Fire Department personnel responding to alarms were injured and fire equipment was damaged or destroyed by bricks and other missiles hurled by Black youths. The fire Department was also plagued by false alarms throughout the night.

There were thirteen (13) arrests made during this night of violence.

II. COMMISSION FINDINGS:

B. 1. Commission Comment on the Precipitating Incident:

The Commission must subordinate concern over who was right and who was wrong in each facet of this incident to deep concern for the underlying causes of such a frightening occurrence and the symptoms of social illness most graphically illustrated.

The City Administration has claimed this to be a planned disorder.

The Commission cannot accept that claim.

Evaluation of all testimony and evidence reveals, in the opinion of the Commission, that what started as a planned peaceful civil protest against alleged injustice deteriorated into mob violence due to identifiable factors.

The factors identified being:

- a. The long history of Negro citizens of Harrisburg being subjected to such inequities as circumscribed patterns of housing, less than equal opportunity in employment, in education, in public accommodations, in recreation and in social and public services.
- b. The failure of the City Administration to institute identifiable and meaningful action to correct existing and recognizable inequities.
- c. The failure of the City Administration to utilize the services and expertise of the Police-Community Relations Team of the Police Department. With adequate strengths and firm top-level departmental and City Administration backing, the Police-Community Relations Team should have been on the scene prior to and during this peaceful protest demonstration. Most important, this police team could have developed the community rapport and empathy so essential to the averting of such damaging and senseless incidents of violence that did occur.....and, without the use of overwhelming force
- d. Police attitude toward Black people.

II. COMMISSION FINDINGS:

- B. 1. e. The attitude of Black people toward the police as the most visible and often abrasive segment of authority representing and enforcing the inequitable status quo.
- f. The seeking by elements of Black youth of opportunity for violent confrontation with authority.
- g. Negro adults and youth leaders occupying Black community leadership positions were present at the scene of the disturbance but were not able to exert meaningful influence toward averting or preventing violence.
- h. The widely accepted "fact"....accepted nationally, that only through violent protest has the Black American been able to awaken the white dominated and controlled structures of authority to the inequities of "second class citizenship" and thus gain meaningful change.
- i. Racial polarization, White majority racism and Black minority racism and rejection.... each fomenting in the other more intense hatreds, actions and reactions.
- j. The failure of the vast majority of citizens, both Black and white, who desire peaceful and equitable change, to effectively counter the racist actions of the vociferously vocal few of both races by positive, timely, recognizable and meaningful action..... "the complacent Americans".
- k. The seemingly unfeeling and unresponsive status quo. Even though, at times and in definable areas, positive action for constructive change is taken by authority, this action is not identifiable to the Black community because it is submerged in the evident inequities, or the change is insignificant in relation to the total problem or, simply because much of the Black community is so strongly convinced of the unchanging insensitivity of authority that they distrust and refuse to believe positive change when it does occur.

II. COMMISSION FINDINGS:

B. 2. Evaluation of the Precipitating Incident:

- a. It is perhaps a misnomer to label this civil rights protest and ensuing deterioration into mob violence as the "precipitating incident".

The real precipitating incident leading to this racial violence may have been when a Black youth was first called "nigger" by a white schoolmate; or, when an adult Black male was first addressed as "boy" by an insensitive white; or, when a police officer, Black or white, was first referred to as a "pig". It might have been when the white racist hate merchant labeled all Negroes as "inferior animals"; or, when the Black racist hate merchant ranted that all whites are "Honkies and Extorters".

- b. This incident and the succeeding days of violence culminating in the useless death of a Black youth, fatally shot by a police officer, were the end result of the factors previously identified on pages 9 and 10 of this report.
- c. This tragic sequence of events need not have occurred.

Even with full consideration of all the factors which precipitated this series of tragic events, the Commission is firmly convinced that proper top-level police policy and administrative backing for the timely utilization of an adequately manned and equipped Police-Community Relations Team could, and should, have averted tragedy and preserved the peaceful protest as just that.

- d. The potential for future occurrences of racial violence in the City of Harrisburg is still present and unchanged.

Action to reduce this potential for violence must be inclusive and cohesive in planning, massive in scope, applied with sensitivity and understanding, and readily identifiable. To accomplish such action will require a complete evaluation of priorities of need, re-evaluation of present programs and structures and the development of new programs and structures.

II. COMMISSION FINDINGS:

C. Charges and Allegations Made by Witnesses for the Black Coalition :

1. That the Harrisburg Police Department, collectively and individually, has :
 - a. Committed official lawlessness. Official lawlessness being defined as actions exceeding constitutional and/or statutory authority.
 - b. Utilized two standards of treatment of people and two standards for law enforcement.... One standard for the whites and another standard for the Blacks.
 - c. Practiced the racist attitude of giving priority to the protection of white owned property above the protection of lives, safety and rights of Black citizens.
 - d. Been insensitive to the civil rights and the individual and collective feelings of the Black.
 - e. Resorted to illegal force in many instances. Defined as force beyond that needed to make apprehension or arrest. This is identified as police brutality.
 - f. Over-reacted to situations in the Black community where such over-reaction has triggered counter reaction and violence that would not have occurred if police actions had been temperate and tailored to the situation.
2. That the Mayor of the City of Harrisburg had :
 - a. Ignored the recommendations of the Harrisburg Police Advisory Board in a specific instance of police brutality thus destroying any credence the Black community had that this Advisory Board could effect the redress of wrong.
 - b. Ordered city-wide curfew without the legal power to do so.

II. COMMISSION FINDINGS:

C. Charges and Allegations Made by Witnesses for the Black Coalition -- continued :

3. That the Police Courts and the magistrate system of the City of Harrisburg have :
 - a. Charged excessive bail for Black citizens, reflecting a double standard of treatment for individuals based on the race of the individual.
 - b. Reflected a double standard for charges, fines and sentences against individuals based on the race of the individual.

D. Commission Findings, Opinion and Comment, on the Charges and Allegations Made by the Black Coalition of the City of Harrisburg :

- .. Charge or Allegation: That the Harrisburg Police Department, collectively and individually, has committed official lawlessness.
 - a. Finding: There was no factual evidence presented to credit this charge. Of the allegations presented, the pending (at the time of the hearings) cases before a court of law will, by court decision, be determined.
 - b. Opinion: The Commission believes this charge and contingent allegations to be the natural result of clearly opposing opinions and convictions of the role and function of police.

The white community of Harrisburg, the City Administration, and the police, conceive the police function to be the maintenance of law and order; the protection of persons and property; and, the apprehension and arrest of persons who violate the law and damage, endanger, or harm persons or property. The police officer is to be respected and obeyed and is not to be subjected to derision or harassment.

II. COMMISSION FINDINGS:

D. 1. b. Opinion - continued:

The Negro community of Harrisburg holds a radically different conception of the police role and function. The white policeman is an agent of the society which has perpetuated the exclusion of the Negro from meaningful or equal involvement and opportunity. The police are "occupation troops", who characterize all Black people as inferior, immoral, criminal minded and incapable of responsibility or trust.

The Black police officer is viewed as having sold out his "brothers" to the power structure.

- c. Comment: The continuance of opposing conceptions as to police role and function can do nothing but solidify convictions that foster civil disorder in the City of Harrisburg.

This example of opposing conceptions is a graphic example of the wide gap in understanding and in inter-group communication that has created and will unless changed perpetuate two distinct and separate racially circumscribed communities in the City of Harrisburg. A white community and a Black community, separate, in opposition, beset by fears and suspicions, unequal as to environment and social and economic opportunity.

The deprived Black citizen too often dwelling in a circumscribed ghetto environment sees and wants the niceties of life so evident in the affluent white neighborhoods and practically all-white suburbs that ring the City. Pain easily becomes despair and hostility. Hostility is most apt to be vented against the uniformed representative of the insensitive society that surrounds the Black.

This Black hostility is most apt to gain quick expression when the police fail to visibly demonstrate consideration of the Negro as a citizen first and member of the Black race second.

This failure is a reflection of the failure of white society and mirrors the difference in priorities of Black and white society.

II. COMMISSION FINDINGS:

B. 1. c. Comment - continued:

The Negro, neither afforded nor having attained economic equality with the white majority, has not sanctified property as inviolate and sees the rights of individual Black citizens as transcending the rights of absentee and nearly always white property owners.

The police officer, again reflecting the priorities of the white society rule he enforces, is then often operating in opposition to the priorities of the Black community. This leads to abrasive contact and further deterioration in police-community relations and understanding.

The police, continuing to reflect different values, nourishing stereotypes of the Black, mandated to police the ghettos of the City, often with inadequate training, manpower and equipment, seen by the Black as giving total priority to enforcement of the status quo, will continue to be the focal point of Black protest against all inequities unless real, identifiable, dramatic, positive and equitable action is taken by the City of Harrisburg.

d. Recommendations: Contained in Section V of this report.

2. Charge or Allegation: That the Harrisburg Police Department has practiced two standards of treatment of people and two standards for law enforcement.... One standard for the white and another standard for the Black.

a. Finding: The Commission, on the evidence presented, must credit this allegation as being true.

b. Opinion: The opinion and comment expressed in paragraph II.D.1. are again deemed valid in respect to this allegation.

c. Comment: Again, the double standard of police activity and the police role is a reflection of the standards of the two societies.... one white and the other Black.... which co-exist without real intercommunication or understanding in the City of Harrisburg.

II. COMMISSION FINDINGS :

B. 2. d. Recommendations: Contained in Section I of this report.

3. Charge or Allegation: That the Harrisburg Police Department has practiced a racist policy and attitude of giving a higher priority to the protection of white owned property than to the protection of the lives, safety and rights of the Black citizen.

a. Finding : The Commission cannot credit this allegation.

b. Opinion : The opinion and comment expressed in paragraph II.B.1. are again valid in respect to this allegation.

c. Comment : Again we must consider the opposing concepts of the role and duties of the police department and the police officer.

It is most evident that the Black owner of property is as vitally concerned with the police protection of that property as is the white property owner.

No evidence was presented that would indicate the Harrisburg Police Department places a higher priority on the protection of property than on the protection of the life and rights of all individuals regardless of race.

The evident basis for the claim of the Black Coalition that Harrisburg police placed property values above the value of human life was the fatal shooting of an 18 year old Black youth during the racial disturbances that prompted these investigatory hearings. Extensive testimony was heard regarding this incident... depicted by the Black community as "murder"; by an ACLU representative as a "summary execution by police"; and by the police as a very regrettable but necessary action committed to stop a felon in the act of attempted arson.

The Commission shall abide by the decision of a properly constituted court of law scheduled to hear and decide in this case.

II. COMMISSION FINDINGS:

D. 3. c. Comment - continued:

The Commission must further comment that the widely divergent opinions in this tragic death are symptomatic in themselves of the totally different concepts of the role, the priorities and the actions of police.

d. Recommendations : Contained in Section V. of this report.

4. Charge or Allegation : That the Harrisburg Police Department, individually and collectively, has been insensitive to civil rights and the individual and collective feelings of Black citizens.

a. Finding : The Commission finds this charge or allegation to be true.

b. Opinion : The Commission could most likely also find this charge or allegation to be true of nearly every city police department in America.

Review of the Kerner Report (Report of the National Advisory Commission on Civil Disorders) substantiates the previous comment by the Commission.

We must again refer to the diametrically opposed viewpoints of the police role and function.

A most striking example of the police insensitivity to Black civil rights was the use by the Harrisburg Police Department of the film "Revolution Under Way", as a training vehicle. This film, while presenting pictorially methods of crowd control, pointedly maintained a theme depicting all civil rights demonstrations as part and parcel of the international communist movement to overthrow this nation.

No evidence was presented that would indicate any such influence in the recent racial disorders in the City of Harrisburg. The Chief of the Harrisburg Police Department testified that he did not believe the present disorders were the result of any outside influence.... but, were a spontaneous development resulting from the arrest of one Black woman.

II. COMMISSION FINDINGS:

D. 4. b. Opinion - continued :

The Commission knows of and is sensitive to the fact that the communist movement is a threat to the civil rights of each and every citizen of this nation. The Commission would immediately alert appropriate federal authority upon receipt of evidence of this far reaching danger.

Just as earnestly this Commission must affirm the right of each and every citizen to engage in peaceful protest, most particularly in the area of civil rights. As the union member has the right to organize and engage in peaceful protest against the inequities of job condition or salary so does any citizen or group have the right of peaceful protest in the area of civil rights. Neither protest should be blindly labelled or condemned.

- c. Comment : The police of the City of Harrisburg are the reflection of the insensitivity and racial bias of the white society that employs, trains, controls and directs them and from which the majority of police are recruited.

As the white majority of Harrisburg citizens individually, collectively and as an administration, reflect insensitivities and antipathies toward the Black minority of the City so does the Police Department.

It is noteworthy, in the opinion of the Commission, that the police of the City of Harrisburg reflect and practice more sensitivity to the needs and rights of Black citizens than does the collective white majority. Yet, as the enforcement agency of the white dominated society the police have become the focal point for the venting of the hostilities of Black citizens against the inequities of the society that surrounds them.

Police, no matter how well trained in police procedures via textbook and classroom, gain most of their training through practical on-the-job experience. There is no substitute for experience in the development of effective police.

II. COMMISSION FINDINGS:

D. 4. c. Comment - continued:

Sensitivity training must be an integral part of the formal police training program but, no less important is the from top to bottom level sensitivity that must be incorporated into the day-to-day policy direction and supervision of the police both as individuals and as a department of local government.

d. Recommendations: Contained in Section V of this report.

5. Charge or Allegation: That police officers of the City of Harrisburg have resorted to illegal force in specific instances. Illegal force being defined as force beyond that needed by the occasion or to make apprehension or arrest.

a. Finding: The Commission, on the basis of testimony presented, finds cause to credit this allegation.

NOTE: The Commission makes reference to the direct testimony and evidence entered by the Chairman of the Police Advisory Board of the Community Relations Center and, of the testimony and evidence presented by the representative of the American Civil Liberties Union.

b. Opinion: Testimony of responsible witnesses relating incidents where police had harassed Black youths and resorted to the use of fists and blackjacks or clubs to "punish" or to "teach a lesson" to Black youth where no charge or arrest ensued have been common circumstance in the City of Harrisburg.

Testimony indicated the firm conviction that police officers, in the performance of arrest of Black youths, have resorted to the use of the club or blackjack with such frequency that literally all Black citizens are convinced that a primary police policy and objective is to instill fear of police in Blacks through the use of club or blackjack on every possible occasion.

II. COMMISSION FINDINGS :

D. 5. b. Opinion - continued :

Each incident of the use of force by police, even when the use of that force is justified, required and legal, serves to further solidify Black opinion and conviction of the insensitivity and brutality of police. More tragic still is that incident where the police officer vents either his temper or his personal hostilities by the application of physical force.

- c. Comment : Again, this allegation and charge is a reflection of the diametrically opposed opinions and convictions of the role and function of police.

The police officer in making arrests is to use that reasonable force necessary to accomplish the arrest or apprehension. When resistance is encountered and the officer then must use force, any degree of force is applauded by the majority white community as "law enforcement" and condemned in the Black community as "police brutality".

The utilization of physical force by police is now quite often the direct result of an officer, or officers, being subjected to derision, name calling - cursing, thrown objects and physical assault by Black youths.

Sensitive and excellent police officers are unfeelingly lumped together with the police who are insensitive and racist in attitude.

The police officer called "Pig" is just as insulted and equally as sensitive to hurt as is the Black adult male called "Boy".

The use of illegal and/or excessive force is not to be excused or condoned no matter what the provocation. This must hold true for every citizen, and most particularly for that individual and group who are the professional body charged with enforcement of the law of the land. The police officer must be above personal hostility or anger

- d. Recommendations : Contained in Section V of this report.

II. COMMISSION FINDINGS:

D. 6. Charge or Allegation : That the police have, in instances, over-reacted to situations and such over-reaction has fomented counter-reaction and violence that would not have occurred if police actions had been more temperate and tailored to the situation.

a. Findings: The Commission finds cause to credit this allegation.

b. Opinion : The violence that occurred on Monday evening, June 25th and continued for the last ten days of June 1969, could very well have been averted by the intelligent use of the police-community relations team if that team had been committed in timely manner to the demonstration area with adequate and proper support of top-level police administration.

Police were not effectively utilized in the control of the situation and in the ensuing disturbances throughout the various neighborhoods of Harrisburg.

The arrival of ten uniformed police officers on the scene of a peaceful civil rights demonstration, wearing riot helmets and displaying riot control weapons must be termed as over-reaction in the part of the police. At the same time, this was an inadequate force to immediately restore law and order when the demonstration deteriorated into a scene of mob violence.

The display of riot control weapons, helmets, gas masks and other such paraphernalia by police, not normally worn or displayed, is an irritant sufficient to foment resistance to law and order and to make police the focal point for group hatred.

Police control of a riot situation is dependent upon the controlled commitment of adequate strengths to contain, to disperse, and to make arrests of individuals and groups in the act of violating the law. The restoration of order must be immediate. Inadequate strength to do more than chase rioters from block to block and failure to accomplish immediate on-the-scene arrests of law violators encourages further violations by the infuriated persons in the mob and is creative of a carnival atmosphere on the part of the rioters.

II. COMMISSION FINDINGS :

D. 6. b. Opinion - continued:

Failure to make timely commitment of adequate police force to riot situation control most usually results in the police and other recognized representatives of authority, such as firemen, becoming the target of the passions of the mob.

- c. Comment : The Commission deems the inclusion of the following quote from the Report of the National Advisory Commission on Civil Disorders as appropriate to this situation :

Walker Report - "In most of the riot cities surveyed, we found little or no meaningful coordination among city agencies either in responding to the needs of ghetto residents on an ongoing basis or in planning to head off disturbances. The consequences of this lack of coordination were particularly severe for police. Despite the fact that they were being called on to deal with tensions and citizen complaints having little, if anything, to do with police services, the police departments of many cities were isolated from other city agencies, sometimes including the mayor and staff. In these cities, police were compelled to deal with ghetto residents angered over dirty streets, dilapidated housing, unfair commercial practices or inferior schools... grievances which they had neither the responsibility for creating nor the authority to redress. We have cited deep hostility between police and ghetto communities as a primary cause of the disorders surveyed by the Commission....in practically every city that has experienced racial disturbances since the summer of 1964... abrasive relationships between police and Negroes or other minority groups have been a major source of grievance, tension and, ultimately, disorder". "The policeman in the ghetto is a symbol not only of law, but of the entire system of law enforcement and criminal justice. As such he becomes the tangible target for grievances against shortcomings throughout that system: against assembly-line justice in teeming lower courts; against wide disparity in sentences; against antiquated corrections facilities; against the basic inequities by the system on the poor.... to whom, for example, the option of bail means only jail." - end of quote -

II. COMMISSION FINDINGS :

D. 6. c. Comment: The small militant core of Black youths who were seeking an outlet for pent-up hostilities, and a confrontation with police as the known representatives of repressive and insensitive authority, were able to take full advantage of the available situation. Then, the visible failure of police to contain and control mob actions and the development of a carnival atmosphere induced normally quiescent youths to join in the vandalism; assaults upon and harassment of police and firemen.

d. Recommendations : Contained in Section V of this report.

7. Charge or Allegation: That the Mayor of the City of Harrisburg ignored recommendation made by the Police Advisory Committee following a specific instance of police brutality thus destroying any credence the Black community had that this Committee could effect redress.

a. Finding : The Commission finds cause to credit this allegation.

b. Opinion : The failure of the Mayor to take visible action upon the recommendation of the Police Advisory Committee in an instance where charges had been made, and investigated, that a Black youth had been beaten by a police officer was an immediately recognized vital blow to the hopes of the Black community.

There were several avenues of visible action open to the Mayor for equitable response to the recommendations of the Police Advisory Committee that would have been beneficial to the Police Department and demonstrative to the total community of the awareness and sensitivity of authority.

The failure of the Mayor to take action to assure non-recurrence by positive policy direction or, to direct transfer, reprimand, suspension or other corrective or disciplinary action, was seen by the minority community as the condoning of an illegal police action by administrative authority.

II. COMMISSION FINDINGS :

D. 7. b. Opinion - continued:

This failure to act on the part of the Mayor most dramatically solidified the convictions of the Black community that two standards for police action exist, based on the race of the individual or neighborhood, and that the City Administration condones and perpetuates this inequity.

- c. Comment : Positive and visible consideration and response to the recommendations of a police advisory committee must be made a viable part of City Administration and police department policy.

The police advisory committee is the only real open avenue for grievance and redress in the area of law and order locally manned and available to the minority community of the City of Harrisburg. The minority community must have confidence in and access to this avenue. Official response to recommendations of the police advisory committee must be timely, positive, sensitive and recognizable.

- d. Recommendations : Contained in Section V of this report

8. Charge or Allegation: That the Mayor of the City of Harrisburg ordered a City-wide curfew without the legal power to do so.

- a. Finding : The Commission does not find cause to credit this allegation.

- b. Opinion : The point of legality, as seriously questioned during the hearings, has not been subjected to legalistic decision which is beyond the purview of the Commission but is a matter of Commission opinion only.

The Mayor of the City of Harrisburg took affirmative action to end civil disorder and violence from mob actions that was required by the situation as he, the chief executive of the City, saw the situation.

II. COMMISSION FINDINGS:

D. 8. b. Opinion - continued :

Ample precedent for the curfew action by the Mayor has been established.

The police powers of the Mayor as contained in Article XII, Section 1203, of the Third Class City Code (Act of June 28, 1951, P.L. 662) as amended, appears to provide legal basis for the curfew order by the Mayor by conferring upon the Mayor the powers of Sheriff in cases of civil disorder.

Article XII, Section 1203 of the Third Class City Code provides:

"Execution of laws: Powers of Sheriff Conferred
It shall be the duty of the Mayor to be vigilant and active in causing the ordinances of the City, and the laws of the Commonwealth relating to the government of the City, to be executed and enforced. In order to enable him to effectually preserve the public peace within the City, all the powers which are developed by the laws of this Commonwealth upon sheriffs, to prevent and suppress mobs, riots, and unlawful and tumultuous assemblies, are hereby conferred upon him."

- c. Comment : The Mayor of the City of Harrisburg, was faced with a continuing situation of mob violence, riot, arson and assaults upon police, firemen and citizens. Recognizing increasing racial hostilities and extremely high potential for calamitous acts by the aroused citizenry of the City the Mayor chose recourse to the curfew as the best and most feasible method of restoring calm to the City of Harrisburg.

The Mayor could have chosen recourse to more stringent measures such as the imposition of martial law.

The Commission must concur that positive action to calm the situation existant in the City of Harrisburg at that time was mandatory. Further, the Commission concurs with the decision of the Mayor in implementing City-wide curfew as the best practical instrument to restore peace and order within the limitations of enforcement resources.

II. COMMISSION FINDINGS :

- D. 8. d. Recommendations : This Commission makes no recommendations concerning this charge or allegation. Any further evaluation beyond the opinion herein expressed by the Commission must come from the courts or the legislature of the Commonwealth.

9. Charge or Allegation : That the police courts and the magistrate system of the City of Harrisburg have charged excessive bail for Black citizens, thus reflecting a double standard of treatment for individuals based on the race of the individual.

- a. Findings : The Commission finds cause to credit that part of the charge or allegation referring to a double standard based on race.
- b. Opinion : It is beyond the purview of the Commission to pass judgement upon bail amounts or, to comment on whether, in any instance where differences are not based on race, bail amounts are excessive or not.

The Commission is deeply concerned when the bail amounts reflect a difference based seemingly upon the race of the individual

The amount of bail fixed for Black persons arrested during the first night of civil disturbances was \$ 30,000 for each person. This has no precedent in the legal history of Harrisburg.

Further, testimony and staff investigation reveals that individuals of the caucasian race, arrested and charged with the same offenses as the Black persons held under \$ 30,000 bail were held under \$ 1,000 bail.

- c. Comment: The Constitution of the United States, in the Eighth Amendment, clearly stipulates that excessive bail shall not be required.

The Commission further states that ample evidence has been presented to indicate both inordinately high bail amounts and that bail amounts have very radically varied in accord with the race of the individuals charged.

II. COMMISSION FINDINGS:

D. 9. c. Comment - continued:

The Commission again makes reference to the Report of the National Advisory Commission on Civil Disorders (The Walker Report).

"The minority ghetto resident is firmly convinced that equitable legal recourse and justice are denied the poor and the Black".

The conviction of the minority ghetto resident of the inequities of justice becomes a widely disseminated "fact"..... that becomes a readily discernible factor in causing racial tensions in the City of Harrisburg.

d. Recommendations: Contained in Section V. of this report.

10. Charge or Allegation: That the police courts and magistrate system of the City of Harrisburg have reflected a double standard for charges, fines and sentences against individuals based on the race of the individual.

a. Findings: The Commission cannot presume to be considered as a higher court of appeal so will make no comment as to the sentences received by individuals.

As to the part of the allegation pertaining to fines, the Commission finds cause to credit the allegation.

As to the part of the allegation pertaining to charges of violations of law varying in individuals engaged in the same offense due to the race of the individual, insufficient evidence or data has been presented to provide a basis for Commission opinion.

b. Opinion: Ample testimony and evidence was submitted presenting comparatives of fines and costs for white and Black citizens committing the same unlawful acts to indicate a differential in fines based on the race of the individual.

II. COMMISSION FINDINGS :

D. 10. c. Comment : The Black community of the City of Harrisburg, and other communities and cities of the Commonwealth, are firmly convinced of the existence of two standards of justice as maintained by the police and magistrate courts system. Nothing has been done of a positive nature to dispel this conviction of inequity of justice based on race.

The existence of a double standard of justice, whether totally real, partially real, or unreal but accepted as fact, cannot but add to the frustrations of the Black community and provide a base and foundation for violence as opposed to peaceful protest through legal channels.

When the Black citizen seeking redress from injustice and/or free and equal exercise of civil rights and equality of opportunity is convinced that legal avenues are closed to him, or prejudicial against him, he must then believe that the only open avenue of protest is both public and violent.

Very fresh in the minds of the Black community of the City of Harrisburg is the incident wherein a white business owner received \$ 100 fine for openly threatening Black citizens with a gun. Juxtaposed with the amounts of bail (\$ 30,000) and fines charged Black persons this is cited as a prime example of two standards of justice based on race.

d. Recommendations : Contained in Section V of this report.

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S E C T I O N - III

NOTE: During the Course of the Investigatory Hearings it was repeatedly charged that the City of Harrisburg had not abided by or accomplished the actions recommended by the Pennsylvania Human Relations Commission as a result of the investigatory hearings held by the Commission in Harrisburg on the 7th and 8th of May, 1968.

Section III is a summation of the recommendations made by the Commission as a result of the 1968 investigatory hearings and the status of accomplishment in each instance.

III. Summary of Recommendations Made by the Commission Resultant from Investigatory Hearings Conducted in the City of Harrisburg the 7th and 8th of May, 1968

A. Recommendations to the City of Harrisburg:

1. 1968 Recommendation: The City of Harrisburg, through the Mayor's Committee on Human Relations, with full cooperation of the Urban Coalition and with full utilization of news media and other affirmative methodologies, should implement an educational program in housing.

a. Status: No report of accomplishment.

b. Comment: Housing has become a major interest item for the City Administration, the Urban Coalition and other vitally concerned organizations in the City of Harrisburg. Public news media has also evidenced deep interest in extensive reporting of all facets of the housing problem and developments or occurrences pertaining to housing.

An organized full-strata educational program with area-wide involvement has not been accomplished.

Although wide recognition of the present housing problems is evident, the approach toward planned resolution is as yet fragmentary and not organized.

The education of all citizens as to the civil right of each individual and family to seek and acquire housing of their choice within their economic abilities has not been accomplished.

The education of all citizens as to the duty of government, at all levels, to assure decent and adequate housing for the economically disadvantaged has not been accomplished.

The Commission holds the 1968 recommendation as being valid and currently pertinent.

2. 1968 Recommendation: That the City of Harrisburg should develop new and innovative incentives for the involvement of industry and business in the production of housing for low and middle income families.

- III. A. 2. a. Status: This recommendation has been partially completed in identifiable areas.
- b. Comment: The City Administration, under the direction of a concerned Mayor sensitive to the housing problem, the City has become involved with a variety of programs and organizations working toward the resolution of the many faceted housing problems in the City of Harrisburg.

The formation of a Housing Advisory Committee by the Mayor; with a prime objective of the Advisory Committee being the accomplishment of the Commission recommendations in housing is a major step toward affirmative action and accomplishment.

The Mayor and others of the City Administration are now actively engaged in the planning for and organization of a concerted housing program.

To date, the City of Harrisburg has not managed to develop meaningful incentives to involve industry and business in the production of low and middle income housing. It must be noted that no other city in the Commonwealth has demonstrated an ability to develop a viable plan or sufficient incentives to actuate the meaningful involvement of industry and business in the production of low and middle income housing.

The Commission, after review of all factors, must reaffirm the 1968 recommendation. Further, the Commission will provide consultant services to assist in program development upon request.

3. 1968 Recommendation: That the Harrisburg Redevelopment Authority and the City Planning Commission shall, by meaningful involvement of residents in planned renewal or project areas, bring the Negroes of Harrisburg into meaningful inclusion in the planning and decision making processes for programs that will affect their families' lives and futures.
- a. Status: Accomplished by the City of Harrisburg, particularly by the Redevelopment Authority and the Model Cities Administration in the Hamilton Area Project, in a most commendable manner.

- III. A. 3. b. Comment: The establishment of neighborhood offices by the above agencies and the grass-roots neighborhood groups sponsored and established, most particularly in the Hamilton Area of Harrisburg, have developed neighborhood participation in the planning and decision making processes of community development programs in a manner to be considered a model response to the 1968 Commission recommendation.

Further, the United States Housing and Urban Development Act of 1968, makes mandatory such meaningful concerned citizen involvement as a basic requirement for consideration and approval of any federally supported program in housing.

The experience gained by the various concerned agencies in the Hamilton Project Area will be invaluable in the structuring of like "involvement" in future programs in the City of Harrisburg.

4. 1968 Recommendation: The City Administration of Harrisburg should direct the Redevelopment Authority to render full support and encouragement to the non-profit sponsors now entering into programs for the production of new low-income housing, housing for the elderly and rehabilitation of existing housing.

- a. Status: Accomplished to a highly successful degree.
- b. Comment: The Redevelopment Authority has been cooperating completely with several non-profit sponsors. This cooperation has included nearly full-time use, by the non-profit sponsors, of the expert assistance of an Authority staff member

The accomplishment of the Dauphin Street Project and continuing non-profit sponsor programs of rehabilitation for resale to low-income buyers has only been possible through the cooperative efforts of the non-profit sponsor and the Redevelopment Authority.

This rehabilitation program, featuring Black entrepreneurship, has been one of the most successful in accomplishment of program intent in the United States.

- III. A. 5. 1968 Recommendation: That the City of Harrisburg should adopt a rigidly enforced program of housing code enforcement. This program should also entail:
- * Training Program for Code Enforcement Officers;
 - * Expansion of Inspection Force;
 - * Preparation of workable program application for federal program funds for accelerated code enforcement under Section 116 of the U.S. Housing Act.

a. Status: The City of Harrisburg, has placed much emphasis on positive actions to accomplish the above recommendations.

b. Comment: Code Enforcement Officers of the City of Harrisburg were recipients of the training program conducted by the Bureau of Environmental Safety, Pennsylvania Department of Health.

The number of housing inspectors was expanded and needed emphasis placed on the work of the inspectors.

A workable program for accelerated code enforcement grant was prepared by the City of Harrisburg but rejected by HUD in original application. Application has been redeveloped, refined, and re-submitted.

6. 1968 Recommendation: That the City of Harrisburg should review City Zoning and Zoning Code Enforcement:

- * Rigidly enforced zoning codes would prevent the unscrupulous operator from converting the single family dwelling to multiple-family use for which dwelling was not structurally designed.
- * Zoning Code enforcement to the letter of the law would reduce the taproom and speakeasy problem in the community.

a. Status: No report of action to accomplish the Commission recommendation has been received.

b. Comment: The Commission reaffirms the recommendation made in 1968 as still valid.

The Commission requests of the City of Harrisburg that a report of the status of accomplishment of this recommendation be submitted with least possible delay

III. A. 7. 1968 Recommendation: That the City of Harrisburg shall accomplish a Human Relations Training Program for all City employees; employees of the Housing Authority, the Redevelopment Authority, the Model Cities Agency, and all individuals employed by City Departments relating to or concerned with housing.

a. Status: No report of accomplishment of the recommendation has been received by the Commission.

b. Comment: Testimony by the Mayor during the investigatory hearings conducted July 1969 add his affirmation to the need for such a sensitivity program.

The Commission reaffirms the recommendation made in 1968 as being still valid.

The Commission requests of the City of Harrisburg that a report of the status of accomplishment of the above recommendation be submitted without delay.

NOTE: The Harrisburg Regional Office of the Commission, upon request, will provide resource information, program development counselling, and such staff assistance as may be required.

8. 1968 Recommendation: That the City of Harrisburg, through the Mayor's Committee on Human Relations, with the cooperation of the 21 affiliated organizations known as the Human Relations Committee of Greater Harrisburg, must make a concerted effort to establish a fully staffed human relations commission in the City of Harrisburg. This Commission should have enforcement powers and its membership should comprise a thorough cross-section of the community.

a. Status: This recommendation has not been accomplished.

b. Comment: The recent civil disturbances have again made evident the absolute need for the establishment of a Harrisburg Human Relations Commission, backed by City ordinance, representative of the citizens of the City of Harrisburg.

III. A. 8. b. Comment -- continued:

The Commission considers the establishment of a Harrisburg Human Relations Commission and the enactment of a Harrisburg Human Relations Ordinance to be a matter of the highest priority for the City of Harrisburg.

The Commission most firmly believes that no other action will be as meaningful or effective in the reduction of racial tensions in the City of Harrisburg.

The City Administration argument that the State Commission can provide all human relations needs and resources or recourse avenues for the minority citizens of Harrisburg is not valid is for no other reason than the fact that the minority citizens of the City of Harrisburg have no role in the direction of the State Commission.

Only a city human relations commission, consisting of concerned and cross-strata representative citizens resident of the city, can provide and effectuate the quick-response redress and affirmative action programs essential for the reduction of racial tension in that city.

The Pennsylvania Human Relations Commission will never have the adequate staff strengths to provide the essential program support, program continuity, or in-depth civil rights redress and compliance program for all the cities of this 12,000,000 population Commonwealth. The Commission is supportive of local community action in all cities.

c. SPECIAL NOTE:

The Commission recommendations have not been accomplished "within a reasonable period of time".

Therefore, the Commission has made an in-depth study of all the factors to evaluate the efficacy of the issuance of a Commission Order in this matter.

III. A. 8. c. SPECIAL COMMENT - Continued:

The following major factors were developed from the Commission evaluation of the situation:

- (1) There is no supportable argument against the establishment of a Harrisburg Human Relations Commission, with professional staff and supported by City ordinance, other than the budgetary costs.

The Commission firmly believes the cost of such a Commission will be much less than continuing loss of tax dollars and direct costs to the City that will result from continuance of racial tensions.

The erosion of the City tax base and the failure of the City to retain and/or attract business and industry within the City limits may be in great part directly related to the human relations atmosphere within that City.

- (2) The City of Harrisburg will install a new form of City government in the beginning of the year 1970.

The Planning Commission has included the structuring of a City Human Relations Commission as a priority goal of this new governmental structure.

- (3) There are at least four (4) citizens groups working to develop the complete model city ordinance and structuring of City Human Relations Commission

- (4) Therefore, the Commission DOES NOT issue an order for the establishment of a Harrisburg Human Relations Commission AT THIS TIME.

The Commission will give full reconsideration to this decision not later than ninety (90) days after the new City Administration has assumed office early in the year 1970.

III. B. Recommendations made to the Harrisburg Housing Authority as a result of the Commission investigatory hearings conducted in Harrisburg on the 7th and 8th of May, 1968:

1. 1968 Recommendation: The Housing Authority should objectively review the March 22, 1968 circular issued by the Department of Housing and Urban Development on "The Social Goals for Public Housing". It is further recommended that this review shall be jointly conducted by the Housing Authority, the Mayor's Committee on Human Relations and a committee representative of the tenants of Housing Authority facilities.

a. Status: Recommendation acknowledged by the Housing Authority and scheduled for completion. No report of completion has been received by the Commission.

b. Comment: Report of compliance with the recommendation should be forwarded to this office with the least possible delay.

2. 1968 Recommendation: That the Housing Authority of the City of Harrisburg should review the necessity for a "late charge" of fifty cents a day to tenants who are tardy in rent payments.

a. Status: Complete review of the need for a late charge for delinquent rent payments was conducted by the Housing Authority.

The late charge of fifty cents per day was continued.

Prior to the adoption of the fifty cents per day delinquent rent charge the Housing Authority had suffered up to \$13,000 per month in delinquent rents. This very drastically imperilled the housing operation, curtailed programs, and had threatened a need to increase all rent rates. Since adoption of the fifty cents per day "late charge" the average monthly delinquent rent total has been reduced to \$2,200.

The project managers have the authority to review each delinquent rent case and to waive the late charges in proven hardship cases.

The Authority also gives recognition to high cost months such as the beginning of the school year.

III. B. 2. b. Comment: The Commission review of the Housing Authority response to the Commission recommendation reveals the Housing Authority review to be adequate and does not indicate any racial bias or discrimination on the part of the Housing Authority in continuing this late charge.

3. 1968 Recommendation: That the Housing Authority of the City of Harrisburg should place maximum emphasis on the development of a workable program application for PHA Leased Housing Program (Section 23 of the law authorizing federal assistance for low-income families; the United States Housing Act as amended).

a. Status: The Harrisburg Housing Authority has complied with this recommendation.

b. Comment: Harrisburg Housing Authority application was approved by HUD and certification for the acquisition of 163 dwellings under the Leased Housing Program has been received. To date, the Harrisburg Housing Authority has under lease 61 dwellings and is actively seeking and accepting more units to acquire the full total of 163 units which had been certified.

The Harrisburg Housing Authority plans expansion plans expansion of the leased housing program upon successful acquisition of the now authorized 163 units.

This program is considered vital by the Commission for the continuing and expanding need for provision of adequate and decent housing for low-income families in the City of Harrisburg.

4. 1968 Recommendation: That the Harrisburg Housing Authority should develop closer liaison and more responsive cooperation with the following agencies:
* Office of the Mayor
* Harrisburg Redevelopment Authority
* Harrisburg Model Cities Agency
* Pennsylvania Department of Community Affairs
* and, the Housing Authority must be an integral part of the City planning structure.

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III. B. 4. a. Status: Commission recommendation has been accomplished.

Comment: In addition to close liaison and inter-agency cooperation, the Office of the Mayor has developed a Housing Advisory Committee. The close relationship now developed with the Pennsylvania Department of Community Affairs has been best shown by the funding support received by the City from that Department for Harrisburg housing programs.

5. 1968 Recommendation: That the Housing Authority should make program application for federal funded social training programs for family training.

a. Status: The Commission recommendation has been accomplished.

b. Comment: Harrisburg Housing Authority made program application and received approval for social training program in limited amount that supports seven (7) staff persons at one (1) housing project. Applications are now being prepared for expansion of this program.

C. Recommendations made to the Harrisburg School District as a result of the investigatory hearings conducted by the Commission on the 7th and 8th of May, 1968:

1. 1968 Recommendation: That the School District's Inter-group Education Committee specifically include membership from the Black community to include both parents and students.

a. Status: This recommendation has been accomplished.

b. Comment: The Intergroup Education Committee of the Harrisburg School District is now made up of school administrators, teachers, parents and students and is bi-racial in membership from all its representative areas.

The Intergroup Education Committee has undergone four sessions, each of four (4) hours of sensitivity oriented training.

- III. C. 2. 1968 Recommendation: That the Intergroup Education Committee and its Intergroup Education Director be directed to study and make recommendations to the Superintendent of Schools regarding the following areas of concern:
- * Counselling
 - * Work-Study and job placement program
 - * Teacher and administrator discipline of Black students
 - * Participation patterns by race of students in extra-curricular activities
 - * In-service training of staff in the education of disadvantaged children
- a. Status: The District's Intergroup Education Education Department and Intergroup Education Committee are studying these areas and making recommendations. This activity is reflected in the points of progress herein commented upon by the Commission. (As of the District's report of June, 1969)
- b. Comment: (1) Counselling received by Black Students regarding curriculum choices, vocational training, college education and scholarships:
- .01 Six (6) counsellors have been added in the secondary schools, of which five (5) are Black. Information services on vocational placement and college admissions and financial aid have been expanded.
 - (2) The School District's work-study and job placement program:
 - .02 Compared to no formal such program when the May 1968 hearings were held, in May 1969 there were 48 General Education and 50 Vocational students in work-study on-the-job training opportunities.

III. C. 2. b. Comment-- continued:

(3) Teacher and administrator discipline of Black Students.:

.03 Commencing in the fall of 1969, the Board of Education has adopted "Guidelines for a Code of Conduct" which prohibits physical abuse or verbal harassment between students or students and teachers.

(4) Participation patterns of students by race in extra-curricular activities :

.04 As of June 1969, Black students were participating in athletics in greater numbers than their representation in the high school student bodies. In non-athletic activities, Black students were proportionately over-represented in one high school and under-represented in the other.

(5) The criteria and procedure of selecting members of extra-curricular organizations:

.05 To the Commission's knowledge, with few exceptions, this area of concern has not been evaluated.

(6) In-service training of staff in the education of disadvantaged children:

.06 A five-session in-service program was held at each elementary school on improving the communications skills of the disadvantaged.

Since March 1969 the Department of Intergroup Education has provided an 18-hour course for teachers on the dynamics of urban cultures and appreciation of the urban child. Eighty-four (84) teachers completed this course last spring.

Counsellors have received 16 hours of instruction on the guidance of the disadvantaged child.

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III. C. 3. 1968 Recommendation: That a sub-committee of the Intergroup Education Committee be organized, to include Black community representatives concerned with Negro history, for the purpose of evaluating and making recommendations regarding the adequacy of the District's textbook portrayals of minority-group peoples and their contributions to society:

a. Status: To the Commission's knowledge, this has not been accomplished.

b. Comment: The Commission believes this recommendation to be still valid and suggests a priority be established for acting on same.

4. 1968 Recommendation. That the School District's affirmative recruitment efforts to employ Negro professional and non-professional employees be continued and expanded.

a. Status: The School District has not reported to the Commission on its efforts or results regarding non-professional employees.

However, there are figures on the results of the positive recruitment of Negro professionals. The percentage of Black professionals increased from 15% in fall of 1967 to 18% in spring 1969. Compared to the school year 1966-67, as of June 1969 there were 8 more Negro secondary school teachers, 5 more Black counsellors, 2 more Negro principals and 2 more Black Black assistant principals.

CHART: Harrisburg School District - Professional Employees - June 1969

Employed As	1966-1967		1967-1968		1968-1969	
	Non-white	White	Non-white	White	Non-white	White
Teachers - Elementary	72	217	72	201	71	209
-- Secondary	27	239	28	254	36	246
Counsellors	1	13	1	13	6	14
School Principals						
- Elementary	1	9	2	8	2	8
- Secondary	0	4	0	4	1	3
Assistant School Principal						
- Elementary	0	0	0	0	0	0
- Secondary	0	5	1	7	2	7
Other Professional Staff	1	65	1	70	4	69
TOTALS	102	552	105	557	122	556
PERCENTAGES	15.6	84.4	15.9	84.1	18.0	82.0

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III. C. 5. 1968 Recommendation: That the Harrisburg School District should initiate a series of in-service training sessions for administrative and faculty personnel for sensitivity concern for such tension producing areas as stereotyping, scapegoating, racist references and faculty-student intergroup relations.

a. Status: The School District is in the process of complying with this recommendation.

b. Comment: The conduct of such in-service education has been made the responsibility of an Intergroup Education Department with three (3) full-time professional staff. This staff has regularly led seminar discussions of students on problems of relationships in the two high schools.

An in-service Sensitivity Training Program for central office personnel, principals and teachers has also been held regarding communication skills and attitudes toward "inner city" youth.

D. Recommendations made by the Commission in the subject area of employment as a result of the investigatory hearings conducted on the 7th and 8th of May, 1968:

1. 1968 Recommendation: The City of Harrisburg, through the Mayor's Committee on Human Relations, with the cooperation of the City Chamber of Commerce, the State Employment Service, and the Opportunities Industrialization Center, should work out a cooperative working relationship in which the present trends of employment, i.e. lack of employment and under-employment of Black citizens may be reversed.

a. Status: No report of action on the recommendation has been received by the Commission.

b. Comment: Evaluation of the present employment of minorities in the City of Harrisburg reveals improvement but not sufficient improvement to significantly change the employment pattern and less-than-equal-opportunity situation. The 1968 recommendation of the Commission is still valid.

III. D. 1. b. Comment -- continued:

Although much fragmented effort has been made to change historical racial employment patterns, mores and customs, the Black employee is still, in the main, employed in custodial, service and menial fields.

There has been marked improvement in the past year and yet the income average of the Negro worker remains about at 70% of the income level of his white counterpart with equivalent age and education.

Inequities and unequal opportunities in employment remains as a major problem and cause of racial tensions in the City of Harrisburg.

2. The recommendations of the Commission issued as a result of the investigatory hearings conducted in Harrisburg on the 7th and 8th of May, 1968 also include the recommendation for a community-wide workshop on racial problems to develop viable avenues of communication and a "rumor control center".
 - a. This community-wide workshop was not conducted.
 - b. New and viable avenues of communication and of cooperation were not developed.
 - c. A rumor control center was not organized or established.
 - d. Overt racial tensions did not subside and violence again occurred.
 - e. The Commission firmly believes the recommendation made after the 1968 investigatory hearings remain valid.

SECTION ~ IV

COMMISSION FINDINGS

IN CONCERN AREAS , PERTINENT TO THE RACIAL
TENSION SITUATION, OTHER THAN POLICE-COMMUNITY
RELATIONS.

HOUSING

EMPLOYMENT

RACISM IN HARRISBURG

IV. COMMISSION FINDINGS:

A. Commission Findings in the Area of Housing That Have a Direct Bearing on the Racial Tensions and Patterns of Segregation in the City of Harrisburg in 1969:

1. Public Housing:

- a. The Harrisburg Housing Authority Commissioners, (4-White Commissioners and 1-Negro Commissioner), supervise the operation, at the time of the hearings, of six (6) public housing projects and have acquired part of an authorized 163 lease housing (scattered site) dwelling units.

The six (6) housing projects had the following racial occupancy pattern:

Project	Non-white Occupied Units	White Occupied Units	Total Occup Units	Total Project Units
PA 8-1 Howard Day Homes	221	4	225	260
PA 8-2 Hoverter Homes	36	200	236	236
PA 8-3 Hall Manor	58	492	550	550
PA 8-4 Hillside Village	69	1	70	70
PA 8-5 M.W.Smith Homes	75	5	80	80
PA 8-6 Jackson-Lick Apartments	232	16	248	252
Totals	691	708	1,399	1,448

- b. (1) Comment: The residency pattern has changed but very little from the pattern existent at the time of the Commission hearings conducted in 1968.

The three clustered together historically "Black Projects", Howard Day Homes, Hillside Village and M.W.Smith Homes have become even more segregated as all-Black facilities.

IV. COMMISSION FINDINGS - SPECIAL AREAS:

A. Housing:

1. Public Housing - continued:

- b. (2) Comment: Hall Manor and Hoverter Homes, historically white occupied projects, now have 94 units occupied by non-whites which doubles the number of units occupied by non-whites in these two projects since 1968 but still represents only a 12% non-white occupancy in these projects.
- (3) Jackson-Lick Apartments, with highest turn-over rate, has become more solidified as a facility for the non-white.
- c. The failure of the Harrisburg Housing Authority to desegregate the housing projects in the City of Harrisburg remains a major factor in the racial imbalances present in the Harrisburg school system.
- d. The Harrisburg Housing Authority records an annual tenant turn-over rate of approximately 23%. This requires the assignment of approximately 250 units per year. This presents ample opportunity for any positive action to desegregate these projects to have done so prior to this date.

NOTE: The Housing Authority is offering the prospective tenant three (3) opportunities of selection wherein the prospective tenant may reject the vacant unit available to the applicant.

The Housing Authority has also been grouping the housing projects into three (3) area groupings for applicant tenant consideration and selection:

Group #1: Jackson-Lick Apartments- high rise; high turn-over rate; primarily Negro occupancy.

Group #2: Howard Day Homes - Hillside Village - M.W. Smith Homes; geographically clustered in Negro neighborhood and historically Negro occupied.

Group #3: Hoverter Homes and Hall Manor; located in same white neighborhood - always primarily white occupancy.

IV. COMMISSION FINDINGS - SPECIAL AREAS:

A. Housing :

1. Public Housing:

e. Recommendations:

- (1) Will be addressed to both the Harrisburg Housing Authority and to the Housing Assistance Administration, Region - II, U. S. Department of Housing and Urban Development.
- (2) Recommendations are contained in Section V of this report.

f. NOTE: The Commission considers public housing to be a primary area of concern in the social unrest in the City of Harrisburg.

2. Private Housing :

- a. Housing Code Enforcement: Inspection has been expanded and strengthened and additional emphasis placed on this program. It must be noted that the major portion of a realistic code enforcement program remains to be accomplished in the City of Harrisburg.
- b. Harrisburg is now dotted with empty lots where the substandard structures have been razed. There remain many additional substandard structures that will require demolition. This will further erode the tax base of the City. No positive action to provide new low or middle income housing on these vacant lots has become visible.
- c. No program to provide incentives for the involvement of the private sector in the production of low or middle income housing within the City of Harrisburg has been developed.
- d. City administration and the Redevelopment Authority support of the programs of non-profit sponsors has resulted in one of the most successful 221(h) - "rehabilitation for resale to low-income families" - programs yet undertaken in the United States.
- e. Housing needs have been recognized and have become a top priority action subject on the part of the Mayor and the City administration.

IV. COMMISSION FINDINGS - SPECIAL AREAS:

B. Employment:

1. As previously commented upon in Section III of this report, employment of the non-white has increased and improved subsequent to the 1968 hearings. However, this improvement is so minor as to make little change in the evident inequities of employment and job selection or promotion suffered by the non-whites of the City of Harrisburg. The average family income for the non-white is still only approximately 70% of the average white family and the unemployment rate for the non-white is at least double the white unemployment rate.
2. The major employers of the non-white remain federal and state government. Industry and business, and most particularly the skilled trades unions, continue to deny the non-white equality of opportunity.
3. Unemployment, underemployment and denial of equality of opportunity in employment for the non-white remains as a major cause of racial antipathies and tensions in the City of Harrisburg.
4. Employment, as a concern area, was not the focal point of much testimony during the July, 1969 investigatory hearings. This should not be misconstrued nor the vital importance of equality of opportunity under-rated. Employment, housing and other concern areas were, by necessity, subordinated to the testimony directly relating to the tension situation existant in the City at the time of the hearings and to the allegations of the Black Coalition and administration answers to those allegations.
5. Commission recommendations are contained in Section V of this report.

C. Racism in the City of Harrisburg:

1. The Commission finds the City of Harrisburg an example in microcosm of the racist attitudes, antipathies, apartheid separatism, fears, actions and reactions, that are portrayed every day in the urban centers of this nation.

IV. COMMISSION FINDINGS - SPECIAL AREAS:

C. Racism in the City of Harrisburg

1. Continued:

There actually exist in the City of Harrisburg two distinctly separate communities: the majority white community and the minority community of the Black; unequal in facilities, with a deepening chasm of misunderstanding, lack of communication and with old myths and fears being exploited by the racist both Black and white.

2. White Racism:

- a. White racism is constantly expressed by the failure of business, industry and the skilled trades unions to render equitable consideration to the needs and the potentials of the individual rather than the historically instilled "first comes the racial consideration".

*QUOTE - from the Kerner Report: "Unemployment and underemployment are among the persistent and serious grievances of disadvantaged minorities. The pervasive effect of these conditions on the racial ghetto is inextricably linked to the problem of civil disorder.....Artificial barriers to employment and promotion must be removed by both public agencies and private employers..... Racial discrimination and unrealistic and unnecessarily high minimum qualifications for employment or promotion often have the same prejudicial effect.... We believe that too often government, business and labor unions fail to take into account innate intelligence and aptitudes which are not measurable."

- b. Harrisburg preserves set historical patterns of circumscribed housing. White racism is expressed and preserved every time the non-white is denied access to housing of his choice.
- c. Although many honestly concerned white persons have been and are striving with their concerned Black friends and neighbors to develop understanding and cooperation between the races (as illustrated by white backing of Ghetto Enterprises, the Urban Coalition, non-profit sponsors of housing and housing rehabilitation) the lack of concern and deep rooted

IV. COMMISSION FINDINGS - SPECIAL AREAS:

C. Racism in the City of Harrisburg:

2. c. White racism - continued:

racial antipathies of the white majority, exploited by the white racists, antagonized by destructive acts and by inflammatory statements by racists Black and white, the tendency to preserve and expand old traditional racial mores, fears and myths remains most evident.

d. The failure of the white majority of the City of Harrisburg to recognize the needs of the Black minority to include an open and equitable avenue for the redress for infringement or denial of the free and equal exercise of the civil rights of the individual, via such an agency as a local human relations commission (in which the races have an equal role) affirms to the Black community the racist attitude of the white.

Thus Black militancy emerges in the City. No different from white militancy, but feared by the white majority simply because this militancy is directed toward the status quo of the society controlled and maintained by the white majority.

The militant Black American activist protest against the inequities, the status quo, the white dominated structures of power, the unshared affluency, becomes a protest and fight against the insensitive white majority. Thus, "whitey" becomes the enemy. "Hate whitey" easily becomes the rallying cry. The hurling of bricks and the screams of "get whitey!" aimed at the Harrisburg police and firemen the next logical step.

Black militancy would not exist if white racism ended.

Until the Black American resident of the City of Harrisburg is freely associated in welcome full-partnership in the society of, and the administration of, the City of Harrisburg, the potential for continued racial violence will remain and increase. This equal partnership cannot reach fruition with the present racist attitudes of the white majority in the City of Harrisburg.

e. A history of denial, a history of the failure of the white majority to recognize the needs and equality of the Black American has resulted in a segment of Black youth turning to the teachings of anarchy and revolt. (As have many of our college aged youths of all races.)

IV. COMMISSION FINDINGS - SPECIAL AREAS:

C. Racism in the City of Harrisburg:

2. White Racism - continued.

e. Continued:

Harrisburg and every other urban center must face the fact that this problem exists. This move toward anarchy may be contained or set aside in only two ways; either by the application of overwhelming raw force or, by positive and meaningful action to remove the inequities that have created it. Harrisburg has a choice.

- f. It must be noted that Black militancy is totally different from white militancy because Black militancy seeks to acquire.... not to deny.... the rights of the individual and group.

3. Black Racism :

- a. Black racism is perhaps a misnomer. Among Black peoples the Black racist represents a lesser fraction of his people than the white racist does of the white majority. The Black racist and his separatist nation dream represent but a miniscule percentage of Black Americans.

Black pride is widespread and should and will become more universal. If the Irish-American, the Italian-American, the German-American and other ethnic or national groups may demonstrate national and ethnic origin pride so can, and must, the Black-American.

White America must accept and share in this pride.

- b. QUOTE: from the Kerner Report : " Black Power first articulated a mood rather than a program..... disillusionment and alienation from white America and independence, race pride, and self respect, or 'black consciousness'. Having become a household phrase, the term generated intense discussion of its real meaning, and a broad spectrum of ideologies and programmatic proposals emerged."

IV. COMMISSION FINDINGS - SPECIAL AREAS:

C. Racism in the City of Harrisburg:

3. c. Black Power:

In politics, Black Power means independent action. In economic terms, Black Power means the creating of independent, self-sufficient enterprise. In education, Black power calls for local community control of the schools and their curriculum when sited in the Black neighborhoods. Throughout the emphasis has been on self-help, racial unity and consolidated effort for positive change. True, the term Black Power has been on occasion subverted by the Black militant to effect violence....but, so has the white use of the term White Power.

In race relations, Black Power has also too often meant white fear and white reaction.... simply because the white majority, as any group, most naturally fears what it does not understand.

Understanding must wait on the structuring and the implementation of real avenues of communication not now either open or existent in the City of Harrisburg.

PHRC Investigatory Hearings - Harrisburg - July, 1969

S E C T I O N - V

C O M M I S S I O N R E C O M M E N D A T I O N S

In specific instances the Commission herein specifies a time limit for implementation of Commission recommendation.

In all instances the Commission expects of the addressee of Commission recommendation acknowledgement of receipt of recommendation.

In all instances the Commission will monitor the meaningful implementation of the following recommendations. Where action is not accomplished to a significant degree the Commission, upon review, shall take such further steps as specified by law to assure affirmative action to reduce racial tensions in the City of Harrisburg.

V. COMMISSION RECOMMENDATIONS:

NOTE: The limitation of the Commission recommendations to those areas of primary and immediate concern presented during the hearings, is most definitely not an indication that other concern areas have been eliminated or, have ceased to be causes for racial tensions within the City of Harrisburg.

A. Police-Community Relations:

Comment: Police-community relations became identified through testimony, as the prime concern area in the racial tensions and civil unrest in the City of Harrisburg that required the Honorable Raymond P. Shafer, Governor of the Commonwealth of Pennsylvania, to direct that the investigatory hearings be held by the Pennsylvania Human Relations Commission.

1. Recommendation: The Police-Community Relations Unit of the Harrisburg Police Department should be the subject of the following actions:
 - a. Police Department published policy and Standard Operating Procedure issued to all members of the force, should be fully explanatory of the role, functions, responsibilities and procedures of the Police-Community Relations Unit of the Police Department.
 - b. Police Department officers assigned to the Traffic Bureau, Detective Bureau and the Youth Bureau should be systematically rotated in assignment to include at least a 90-day duty assignment with the Police-Community Relations Unit as a part of the ongoing Police Department training program.
 - c. The Police-Community Relations Unit should be placed on a par with traffic platoons, the Detective Bureau and the Youth Bureau.
 - (1) In equivalent rank for the commander and key subordinate positions.
 - (2) In the provision of adequate transportation and communications equipment.
 - (3) In the provision of administrative and secretarial aid and related supportive services.

V. COMMISSION RECOMMENDATIONS:

- A. 1. d. Manning of the Police-Community Relations Unit should be adequate to staff a minimum of two (2) neighborhood centers at least 16 hours per day and provide personnel for positive programs in the schools, with neighborhood businesses, fraternal organizations and community groups.
- e. The work and responsibilities of the Police-Community Relations Unit should be expanded by assumption of operating control over a rumor control center. Police of the PCR Unit should be augmented in the operation of the rumor control center by a planned organized volunteer program.

NOTE: Further reference to the operation of a Rumor Control Center in the City of Harrisburg will be included in paragraph V.H. (Page 78) of this report.

- f. The Police-Community Relations Unit of the Harrisburg Police Department should be further strengthened by:
- (1) Organization within the Harrisburg Reserve Police of a Police Reserve Community Relations Unit to work with and augment the full-time professional police of the Unit.
 - (2) By full-time assignment of a liaison officer for effective communication between the Detective Bureau, the Youth Bureau and the Community Relations Unit.

NOTE: It is not essential that this liaison person be a uniformed member of the police force.

- (3) By the at least part time assignment of a staff person from the Harrisburg School System as liaison with the Police Department with role of consultant and advisor to the Youth Bureau and the Police-Community Relations Unit.
- (4) By augmentation of the Police Evaluation Board of the Community Relations Center via the addition of three youths to represent the public and parochial high schools of Harrisburg. These three youths also to provide consultant resource to the Police-Community Relations Unit.

V. COMMISSION RECOMMENDATIONS:

A. Police - Community Relations - continued:

1. g. Recommendations A.1.a through A.1.f. are directed to the Mayor and the City Council of the City of Harrisburg.

Recommendations A.1.f.(3) and A.1.f.(4) are directed to the Mayor, the City Council, the Harrisburg School District and the Police Evaluation Board of the Community Relations Center.

2. Recommendation: The Police Department of the City of Harrisburg should be committed to the following actions:

- a. Preparation of an updated and comprehensive Police Department Policy and Standard Operating Procedure Manual.

- (1) Prior to publication, this manual, in draft form, should be submitted for evaluation and comment to :

- (a) Lt. Michael Donahoe, Director
Community Relations Bureau
Pennsylvania State Police
Room 605 Highway and Safety Building
Harrisburg, Pa. 17120

- (b) Dr. James Farer, Director
Law Enforcement Studies Center
Temple University
Philadelphia, Pa.

- (c) Dr. Charles Newman, Director
Center for Law Enforcement and Corrections
Pennsylvania State University
University Park, Pa.

- (2) There should be prepared a consolidated and simplified version of the Police Department Policy and Standard Operating Procedure Manual in the form of a "handbook" to be issued to and carried by every member of the police force.

V. COMMISSION RECOMMENDATIONS:

- A. 2. b. The Harrisburg Police Department, with assistance of the Office of the City Solicitor, should prepare a form in the manner of a "checklist" wherein the officer "booking" a person charged will in each instance certify that:

(1) The charged individual is advised of their rights.

(a) Right to counsel.

(b) Right to make phone call.

(c) Right to make appeal.

(2) The charged individual is advised of :

(a) The charges.

(b) Procedures for release, for bail, for hearing, for forfeiture of bail for non-attendance, for appeal and of the pending judicial process.

NOTE: Positive evidence of strict police adherence to the preservation of the civil rights of all persons apprehended will negate the tension causing rumors, distortions of fact and rumors now evident in the community in relation to this subject.

- c. Recommendations A.2.a. and A.2.b. are directed to the Harrisburg Police Department.

Recommendation A.2.a. requires the consultive services of the individuals and agencies indicated.

Recommendation A.2.b. requires the consultive services of the Office of the City Solicitor.

3. Recommendation: The Police Department of the City of Harrisburg should prepare and maintain in current status a civil disturbance action plan. This plan should at least contain but not be limited to:

V. COMMISSION RECOMMENDATIONS:

A. 3. a. Alert Plan (Implemented under control of the Mayor)

- (1) Assignment of Forces.
- (2) Use of the Rumor Control Center
- (3) Use of the Community-Relations Unit
- (4) Communications Plan -- to include:
 - (a) Communications with State Police, National Guard, Governor's Office and other agencies.
 - (b) Police and other City Departments Communications net.
- (5) Public Information Plan

b. Mobilization Plan (for civil disorder)

- (1) Utilization of manpower
- (2) Utilization of materiel
- (3) Augmentation resources :
 - (a) Pennsylvania State Police
 - (b) Pennsylvania National Guard
 - (c) Pennsylvania Department of Justice
 - (d) Other resources to include, but not limited to: Rumor Control Center; Harrisburg Human Relations Commission; Pennsylvania Human Relations Commission; Urban Coalition; Black Coalition; NAACP; ACLU, and all other identifiable support resources.
- (4) Guidelines to cover all contingencies in civil disorders to include at least:
 - (a) Instructions in Civil Rights
 - * Right of citizens and groups to peacefully demonstrate.
 - * Civil rights of individuals under police custody.
 - * Role of police in civil rights demonstrations.
 - (b) Use of special "crowd control" equipment to include riot gear, mace, tear gas and weapons.

- c. NOTE: The Police Department of the City of Harrisburg, reinforced as required, must be able to avert, to contain, to control, and bring rapid end to any civil disorder. Adequate organization and resources must be pre-planned and provided to make immediate on-the-scene apprehension of violators of law and the person(s) inciting to riot.

V. COMMISSION RECOMMENDATIONS:

- A. 3. c. NOTE # 2: The Police Department of the City of Harrisburg must have pre-planned maximum use for the special skills, insight, racial empathy and neighborhood knowledge developed by the Police-Community Relations Unit to avert the pending civil disorder and/or to assure that civil rights demonstrations remain peaceful protest.

NOTE #3: The planning for Police Department Alert Plan and for Mobilization for Civil Disorder must be closely coordinated with Pennsylvania State Police and Pennsylvania National Guard.

- d. Recommendations contained in paragraph A.3. are addressed to the Office of the Mayor.

4. Recommendation: The Office of the Mayor of the City of Harrisburg should take immediate steps to reaffirm the positive relationship between the Mayor's Office, the Police-Community Relations Unit and the Police Evaluation Board of the Community Relations Center.

NOTE: This recommendation is addressed to the Mayor.

NOTE: Further, that the Office of the Mayor, the Chief of Police, Police-Community Relations Unit Commander, the City Solicitor, and the full membership of the Police Evaluation Board of the Community Relations Center, should conduct such meetings as are necessary to establish the full cooperation and relationship essential to establish full understanding and program viability.

5. Recommendation: The Police Evaluation Board of the Community Relations Center membership should be expanded by the addition of at least two (2) youth of the City.

NOTE: One practical concept would be the addition of at least one youth from the City High Schools and at least one youth of post teen age from ghetto environment. In addition, Evaluation Board meetings to which various youth groups could be invited would be of assistance in developing community understanding.

V. COMMISSION RECOMMENDATIONS:

- A. 5. NOTE #2 : Previous comment covered the need for close cooperation, liaison and understanding between the Office of the Mayor, the Chief of Police, the Police-Community Relations Unit, The Police Youth Bureau and the Police Evaluation Board of the Community Relations Center.

NOTE #3 : It is further recommended that the Mayor, upon evaluation of recommendations received from the Police Evaluation Board, shall transmit all pertinent instances indicating discrimination for appropriate action by the Harrisburg Human Relations Commission.

COMMISSION COMMENT: The Commission has not recommended the establishment of a Police Review Board. The Police Evaluation Board, with representation from the Office of the District Attorney, the Office of the City Solicitor, Region-II of the Pennsylvania Human Relations Commission, The Police Department Community Relations Unit, and a citizen appointed by the Mayor, has been limited to the study and evaluation of complaints alleging police actions deemed as discourteous, abusive or brutal and the recommendation of remedial or corrective action to the Office of the Mayor.

The Commission believes the continuance of this most essential vehicle for the redress of alleged aggrievement concerning police activities or action is of vital importance. Of equal importance is the visible action response by the Mayor to recommendations of this Board.

The President's Violence Commission has called for "as most urgent" the formation of "citizen's grievance committees" as a major step toward rebuilding public faith in a system of justice the Commission called a "notorious failure".

The Police Evaluation Board of the Community Relations Center must attain full credence in the community or action will have to be taken to establish an official police review board to review all police actions to include hiring, promotion, assignment, conduct, etc.

NOTE: Recommendation A.5. is addressed to the Mayor of the City of Harrisburg.

V. COMMISSION RECOMMENDATIONS:

- A. 6. Recommendations to the Harrisburg Police Department as a result of the charges and allegations made by the Black Coalition during the Investigatory Hearings:

- a. Charge or Allegation: That the Harrisburg Police Department, collectively and individually, has committed official lawlessness.

Official lawlessness being defined as actions exceeding constitutional and/or statutory authority.

Recommendation: The Mayor of the City of Harrisburg and the Chief of Police, upon receipt of complaint or allegation regarding police action, shall, with least possible delay, refer such complaint to the Police Evaluation Board of the Community Relations Center for inquiry, evaluation and recommendation.

That the recommendations of the Police Evaluation Board shall be promptly recognized and acted upon by the Mayor and the Chief of Police.

- b. Charge or Allegation: That the Harrisburg Police Department has utilized two standards of treatment of people and two standards of law enforcement...one standard for the white and another and separate standard for the Black.

Recommendation: That the Harrisburg Police Department shall conduct in-service sensitivity training for all personnel of all ranks.

The proposed 40-hour sensitivity training program for the Harrisburg Police Department as developed by the Police-Community Relations Team should be conducted with least possible delay.

Review of the individual records of all police should be conducted to identify officers who through past conduct and attitudes indicate need for extensive attitudinal training, closer supervision, or elimination from the force.

V. COMMISSION RECOMMENDATIONS:

- A. 6. c. Charge or Allegation: That the Harrisburg Police Department, collectively and individually, has practiced the racist attitude of giving priority to the protection of white owned property above the protection of the lives and safety of Black citizens.

Recommendation: The Commission did not credit this charge or allegation.

However, this charge by the Black community reflects a firmly implanted belief that is contributory to racial tensions within the community.

The Commission recommends that full and meaningful accomplishment of the recommendation contained in paragraphs of Section V. A. (with emphasis on paragraph V.A.5. and V.A.6.a.) should be of prime importance in countering and preventing recurrence of this charge or allegation.

- d. Charge or Allegation: That the Harrisburg Police Department has been insensitive to the civil rights and the individual and collective feelings of the Black.

Recommendations: Again, the recommendations contained in V.A.1 thru 5 and 6.a. are most pertinent. Positive attitudinal change in police must be developed to change the convictions and attitudes of Black citizens.

In addition, maximum effort should be expended in a positive program to bring Negroes into the Police Cadet Program and on to the Police Force.

Also, requirements for employment on the police force should include indicated ability to relate positively with minority persons and groups. Record or indications of racial insularity or antipathies should be rigidly established as cause for rejection of applicant.

V. COMMISSION RECOMMENDATIONS:

- A. 6. e. Charge or Allegation: That the Harrisburg Police Department, collectively and individually, has resorted to the use of illegal force in many instances. Force beyond that needed to make apprehension or arrest. This is identified as police brutality.

Recommendation: As previously presented in Section V, Paragraphs A.1. thru A.6.

In all instances where racial discrimination may be identified in the use of police force, sworn complaint should be made to the Pennsylvania Department of Justice or to the Harrisburg Human Relations Commission when that Commission is established and backed by enabling ordinance.

Complaint of police use of excessive force should be the subject of immediate investigation by the Police Evaluation Board of the Community relations Center and immediate visible action or referral by the Mayor upon receipt of recommendations from the Police Evaluation Board.

- f. Charge or Allegation: That the Harrisburg Police Department has over-reacted to situations in the Black community where such over-reaction has triggered counter-reaction and violence that would not have occurred if police actions had been more temperate and tailored to the situation.

Recommendations: As previously presented in subparagraphs of Section V.A.1 thru V.A.6.

It must be noted that as long as racial polarization exists in the City of Harrisburg this charge has a high probability of recurrence.

V. COMMISSION RECOMMENDATIONS :

- A. 7. Recommendation: That the Mayor of the City of Harrisburg shall direct the organization and the development of an educational program on the law and the role of the police officer. This program should be conducted in the junior and senior high schools and before civic groups under the auspices of the Police-Community Relations Unit of the Police Department with supplemental support as required.

This program should be organized and designed with the assistance and cooperation of:

Harrisburg Chapter, American Civil Liberties Union

Harrisburg Chapter, National Association for the Advancement of Colored People.

Youth Bureau, Harrisburg Police Department

Dauphin County Legal Services Association

Office of the City Solicitor; Harrisburg

Harrisburg School District

Office of the Mayor; Harrisburg

Youth Advisors to the Office of the Mayor

Training Officer, Harrisburg Police Department

Harrisburg Regional Office, Pennsylvania Human Relations Commissions

Such others as the Committee of the above shall desire to assist.

NOTE: It may prove desirable to involve local college staff and students in this program not only for planning and organization but for team presentation involvement

It is also recommended that the cooperative inclusion of all news media be sought for this program

V. COMMISSION RECOMMENDATIONS:

B. Housing:

1. Public Housing:

a. NOTE: This recommendation is addressed to:

Housing Assistance Administration
Region -- II
U. S. Department of Housing and Urban
Development
Philadelphia, Pennsylvania

and

Housing Authority
City of Harrisburg

- (1) Survey of the Harrisburg Housing Authority and of the Housing Authorities of other cities of the Commonwealth, wherein a recognizable percentage of non-white citizens reside, indicates the following:
 - (a) Housing projects have been geographically located within Authority boundaries in a discriminatory manner that perpetuates racial segregation in communities. Public housing projects have become the permanent nucleus of racially stratified and circumscribed neighborhoods of the economically disadvantaged. Further, segregation by race within facilities operated by the local Housing Authorities is increasing and solidified to seemingly permanent status.
 - (b) The present Guidelines for Occupancy and Tenant Assignment as published by the Housing Assistance Administration of the U.S. Department of Housing and Urban Development are readily identifiable as a major tool for the continuation and the perpetuation of segregation in public housing.
- (2) The Pennsylvania Human Relations Act clearly defines an act of segregation as an act of discrimination.

V. COMMISSION RECOMMENDATIONS:

B. 1. Public Housing - continued:

a. (4) Recommendation: The Commission therefore recommends that present guidelines for tenant occupancy as published and now issued by the Housing Assistance Administration of the U.S. Department of Housing and Urban Development shall be declared void not later than the 31st day of January, 1970.

b. Recommendation: The Commission recommends that the following guidelines shall be issued to all local housing authorities in the Commonwealth of Pennsylvania with a compliance deadline of not later than the 31st day of January, 1970.:

(1) Guidelines for Existing Established and Occupied Housing Projects :

(a) Housing authorities shall adopt, if not previously accomplished, and promulgate positive steps outlining the policy of non-discrimination and of integration.

(b) This local policy and its operational practices, as well as federal and state policies, should be made clear to all applicants for housing at the time of initial contact. Staff personnel should be adequately briefed and trained in the implementation of these policies. All non-discrimination policies must be made clear to the public at large.

(c) Housing Authority staff, office and maintenance personnel shall be recruited to reflect the ethnic composition of all the tenants of the Authority and be selected on the basis of qualification which shall be inclusive of adaptability to the interracial situation.

(d) If the Housing Authority finds it necessary, due to local conditions, to actively seek tenants in the low-income population, the search should be conducted within all ethnic groups.

V. COMMISSION RECOMMENDATIONS:

B. 1. Public Housing -- continued:

b. (1) (e) Eligible applicants to be housed should be selected on the basis of their need, utilizing criteria of income and housing conditions and approved priorities, without regard for ethnic group membership or the proportion of any ethnic group's representation on the community's population.

(f) Assignment of applicants should be made by the Housing Authority to effect the fullest possible integration in each project and portion thereof. To implement this objective the following steps apply:

/1/. All housing shall be offered on a first come, first served, basis.

/2/. A centralized tenant selection procedure should be utilized to better contribute to the implementation of the integration policy. Tenants for all projects in the same locality (community) should be selected from one list of eligible applicants.

/3/. Applications should not indicate preference for project assignment and applicants should not be asked to state a preference.

/4/. When one or more units or apartments are available which meet a prospective tenant's needs, the unit or apartment to be offered for assignment should be selected for the purpose of maximum integration.

/5/. If a prospective tenant refuses the assignment offer of unit or apartment, his or her name should be dropped to the bottom of the list of eligibles.

(g) Desegregation efforts require that the total accommodations of the various housing projects be equalized. Therefore every effort should be made to upgrade any projects which are inferior in facilities and/or repair.

V. COMMISSION RECOMMENDATIONS:

B. 1. Public Housing - continued:

- b. (1) (h) Local Housing Authorities are urged to take full advantage of scattered site lease-housing under Section 23 of the National Housing Act of 1949 as amended.

(2) Guidelines for New Housing Projects Never Previously Tenanted :

New housing projects offer a unique opportunity to establish occupancy patterns based on need rather than racial or ethnic considerations.

Historical patterns of segregation and or circumscribed or exclusive areas of racial or ethnic grouping may be changed in a positive manner by the housing authority making initial tenancy assignment in a community or new project in a community.

The following guidelines are published for new housing authorities or authorities opening new projects or facilities:

- (a) Housing authorities should adopt and promulgate resolutions outlining the policy of non-discrimination and of integration.
- (b) This local policy and its operational practices, as well as federal and state policy, should be made clear to all applicants for housing at the time of initial contact. Staff personnel should be adequately trained in the implementation of these policies. All non-discrimination policies must be made clear to the public at large.
- (c) Detailed consideration should be given to the selection of new housing site location in terms of aiding the integration process, along with other site selection factors.

V. COMMISSION RECOMMENDATIONS :

B. 1. Public Housing - continued:

b. (2) (c) Continued:

The grouping of large sized housing authority projects is creative of, and gives permanency to, neighborhoods of the economically disadvantaged with apparent contingent problems. (i.e. Large projects of one race - segregated - makes accomplishment of correction of racial imbalances within a city an impossible task.)

- (d) Housing Authority staff, office and maintenance personnel should be recruited to reflect the ethnic composition of all tenants of the Authority and be selected on the basis of qualifications which include adaptability to the interracial situation.
- (e) If the Housing Authority finds it necessary, due to local conditions, to actively seek tenants in the low-income population, the search should be conducted within all ethnic groups.
- (f) Eligible applicants to be housed should be selected on the basis of their need, utilizing the criteria of income and housing conditions and approved priorities, without regard for ethnic or racial group membership of the proportion of the group's representation in the community's population.
- (g) No imaginary lines should be drawn which identify buildings, wings or floors of buildings, as assignable to any one ethnic or racial group. Charting occupancy on site plans is an invaluable aid in a positive program to accomplish integration in the initial tenanting period.
- (h) In new developments, families representing the various racial groups should be placed in occupancy at approximately the same time to avoid creating any impression that the project or building is a white facility or a Black facility.

V. COMMISSION RECOMMENDATIONS :

B. 1. Public Housing - continued:

- c. The opportunity and obligation for ending segregation and discrimination in public housing rests with the local housing authority. The Pennsylvania Human Relations Commission, and City Commissions backed with local enabling ordinances have the duty of aiding the local authorities in the accomplishment of desegregation and integration. The human relations commissions also have the responsibility, under law, to take appropriate steps where segregation and discrimination is found to exist.
 - (1) Segregation and discrimination do exist in public housing in the City of Harrisburg and in every city housing authority in the Commonwealth of Pennsylvania. The differences are only in the degree.
 - (2) Evaluation of attempts toward positive action in ending discrimination and in desegregation of projects made by the Harrisburg Housing Authority, and other local authorities, indicates these attempts are doomed to failure as long as the present Housing Assistance Administration Tenant Occupancy Guidelines are utilized.
- d. The Commission recommendations contained in Section V.B.1. are directed to the Housing Assistance Administration of the United States Department of Housing and Urban Development; Region - II, Philadelphia, Pennsylvania. Further, to all local housing authorities located in the Commonwealth of Pennsylvania.

The deadline date of the 31st day of January, 1970 for accomplishment of the Commission recommendations is deemed to be an adequate and reasonable period of time.

- e. NOTE: The following Commission recommendation is addressed to the Harrisburg Housing Authority:
 - (1) The Harrisburg Housing Authority, according to testimony, has been assigning tenants to operated projects by grouping the projects primarily on the basis of race and offering the prospective tenant three choices within these racially grouped selections.

V. COMMISSION RECOMMENDATIONS:

B. 1. Public Housing - continued:

e. (1) Continued:

First option offered applicant tenant is the high-rise Jackson-Lick Apartments, now primarily a "Black facility". This facility has a high turn-over rate. Second option is the grouping as one choice of the three clustered together "Black facilities" of Hillside Homes, Howard Day Homes and M.W.Smith Homes.... clustered in non-white neighborhood with total of 456 units. The third option is the grouping together of the traditionally "White facilities" consisting of neighboring Hall Manor and Hoverter Homes with 550 and 236 units respectively.

(2) Recommendation:

- (a) The Harrisburg Housing Authority shall, not later than the 31st day of January, 1970, cease this proven segregatory grouping of project facilities for tenant selection.
- (b) The Harrisburg Housing Authority shall, not later than the 31st day of January, 1970, adopt and implement the Guidelines for Existing Established and Occupied Housing Projects as set forth in Section V.B.1.b. of this report.
- (c) The Harrisburg Housing Authority should make maximum effort to obtain the remaining scattered-site lease housing units now authorized.

In seeking acquisition of the remaining units to fill the allotted quota of 163 units, emphasis should be placed on acquiring individual units for large family placement. Present per-unit cost limitations for new single and/or project type construction are prohibitive of provision for four (4) or more bedroom units. Therefore, lease-housing should be utilized to fill this need.

V. COMMISSION RECOMMENDATIONS:

B. Housing - Continued:

2. Housing Code Enforcement:

NOTE: This recommendation is addressed to the City Council of the City of Harrisburg.

- a. Recommendation: All actions addressed to the City of Harrisburg as a result of the investigatory hearings conducted by the Commission in 1968 shall be reviewed, required action completed, and a report submitted to the Commission with least possible delay.

(Summary of these recommendations appears in Section III of this report)

- b. Recommendation: The City of Harrisburg should make a maximum inclusion application for federal and state funding to support an Accelerated Code Enforcement Program under Section 116 of the National Housing Act as amended. This should be balanced with Neighborhood Development Program utilizing particularly Sections 115 and 117 of the National Housing Act.

- c. Recommendation: The City of Harrisburg should place continuing emphasis on the training of all code enforcement officers and enforcement staff under the auspices of the Bureau of Environmental Safety of the Pennsylvania Department of Health.

NOTE: The Commission commends the City of Harrisburg for the public advisement of property owners in the Hamilton Area of the City of Harrisburg of their continued responsibility as owners to properties according to the code standards whether area planning is undertaken or not.

C. City Development Planning and Programs:

NOTE: This recommendation is addressed to the City Council and the Planning Commission of the City of Harrisburg;

V. COMMISSION RECOMMENDATIONS:

C. City Development Planning and Programs - continued:

Recommendation: The City Planning Commission should assure the development of a wide coverage information program for the accurate advisement of all citizens as to planning and program status.

Past and present practice of releasing unrelated fragmentary planning and program information and projected, but not approved, visionary schemes or models has led to confusion and much unnecessary apprehension and unneeded displacement in the City of Harrisburg. Apprehensions in-part caused by such uncoordinated and fragmentary information is a discernible factor in the erosion of the property tax base in the City.

Recommended is an information program tying together the planning and program development of all authorities and agencies involved in the structuring and restructuring of the City of Harrisburg. Cohesive, comprehensive and easily understood planning programs should be presented in open public forum allowing public question and comment.

It must be noted that misunderstandings in both Black and white neighborhoods, by property owners and tenants, of the planned programs, content and context of programs, time schedules, etc., is most readily identifiable as a cause for anxieties and fears which have evolved into racial misunderstandings and antipathies.

D. Employment:

NOTE: This recommendation is addressed to the City Council of the City of Harrisburg; the Harrisburg Human Relations Commission (When established); the Mayor's Advisory Council on Human Relations; the Black Coalition of the City of Harrisburg and the Harrisburg Urban Coalition.

1. Forthcoming from the investigatory hearings conducted by the Commission in Harrisburg in 1968 was the recommendation that an inclusive City-wide workshop on employment be conducted to develop positive employment programs for minorities in the City of Harrisburg. This recommendation has not been accomplished. Employment programs to accomplish equality of opportunity in employment in Harrisburg have been fragmentary, disconcerted and less than fully effective.

V. COMMISSION RECOMMENDATIONS:

D. Employment - continued:

2. Recommendation: The above listed agencies shall coordinate in the conduct of a community-wide employment workshop with the purpose of developing and implementing a comprehensive equal opportunity employment and job training program for the Harrisburg City and metropolitan area.

NOTE: This recommendation, at the behest of the City Council, should be accomplished not later than the 31st day of March, 1970.

E. Recreation:

NOTE: The Commission makes no recommendation in this area of concern at this time.

1. Positive program accomplishment subsequent to the investigatory hearings conducted in Harrisburg in 1968 has been most noteworthy.
2. The present planning and program implementation envisioned by the Harrisburg Bureau of Recreation should be given full and adequate supportive means for program accomplishment.
3. The Harrisburg Bureau of Recreation, with the backing of City Council, has made real program development visible to the community. All needs in recreation have as yet not been accomplished but, positive, inclusive, progressive action is in process.

F. Miscellaneous Concern Areas:

1. Recommendation: That the Office of the City Solicitor of the City of Harrisburg shall undertake the coordination of a review by judicial authorities within the City to ascertain scales of fines and bail amounts set shall not be reflective of the race of the charged individual or group.

The Commission will join with the American Civil Liberties Union in taking action against the imposition of fines or bail amounts that reflect a difference based on race.

V. COMMISSION RECOMMENDATIONS:

- E. 2. Recommendation: That the newly elected Mayor of the City of Harrisburg shall, upon receipt of copy of this report, review the positive commitments made by City of Harrisburg officials and report to the Commission on the continuing validity of these commitments. (Commitments are contained in Section VI of this report)

G. Education:

1. Although Education was not a prime area of testimony, some testimony was heard relating to racial tensions in the schools of Harrisburg. This is a vital concern area to the Commission and to the community.
2. Recommendation: The Harrisburg School District should review the Commission's recommendations made as a result of the investigatory hearings conducted in 1968 (Summarized in Section III of this report) and bring up to date its June, 1969 report on the status of accomplishment, with least possible delay.

The Commission, through the Education Division and the Harrisburg Regional Office of the Commission will continue to support the positive actions of the Harrisburg School District through constant liaison with the Office of the Superintendent of Schools.

H. Rumor Control:

1. Apparent throughout the investigatory hearings was the effect of uncontrolled rumors throughout the City.

Many instances of overt acts of violence and of pointed instances of racial fears, distrusts and hatreds, could be directly traced to rumors and "facts" that were not based upon truth or were a distortion of truth.

2. Recommendation: That a Rumor Control Center shall be established in the City of Harrisburg under the direction of the Harrisburg Human Relations Commission under the operational control of the Police-Community Relations Unit of the Harrisburg Police Department and supported by a volunteer group with City-wide action group sponsorship.

V. COMMISSION RECOMMENDATIONS:

H. Rumor Control Center - Continued:

3. The Commission will provide methodologies for operation of a Rumor Control Center and resource material obtained from the operation of Rumor Control Centers in Cities in the Commonwealth and neighboring states.

I. Summary of Recommendations:

The Commission has given full consideration to the issuance of Commission Orders in specific instances where Commission recommendations issued by the Commission subsequent to the 1968 investigatory hearings had not been accomplished to a meaningful degree within a stipulated or reasonable length of time.

Consideration of the pending change of City administration and City government organization was a major factor in the development of the recommendations contained in this report and in the Commission decision not to resort to the issuance of Commission orders at this time.

S E C T I O N - VI

S U M M A R Y

also including....

POSITIVE COMMITMENTS
by Officials and Agency representatives
during the course of the investigatory
hearings conducted by the Commission in
the City of Harrisburg in July, 1969.

PHRC Investigatory Hearings - Harrisburg - July, 1969

VI. SUMMARY:

- A. During the course of the testimony received the Commissioners identified positive commitments on the part of officials of the City of Harrisburg, its various Departments, Commissions, Authorities and Agencies.

The Commission has evaluated these commitments and, in the light of conditions existent at the time of the hearings, believes they will be of value in the reduction of racial tensions in the City of Harrisburg to the degree they are accomplished.

Commitments, tabulated from transcript of testimony and from evidence entered were:

1. Harrisburg Department of Police:

- a. The Harrisburg Police Department will conduct a sensitivity training program for every member of the force. This is a forty (40) hour sensitivity program developed by the Police-Community Relations Team.

Commission Comment: This program should be submitted for review, comment and recommendations to:

Lt. Michael Donahoe, Director
Community Relations Division
Pennsylvania State Police
Room 605 Highway and Safety Building
Harrisburg, Pa. 17120

- b. The Harrisburg Police Department will continue and hope to expand the Police Cadet Program.

Commission Comment: Positive recruitment to this program, through the high schools, possibly could best be accomplished by the combined efforts of the PAL Program and the Police-Community Relations Unit.... with the backing of the program by the top City administration and the School District of the City of Harrisburg. Extended program planning should be inclusive of such resources as the Harrisburg Area Community College and the Middletown campus of Penn State University. The key will be incentive development resultant from an intelligently planned and full resource recruitment program.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

1. c. The Police Department will continue the maximum utilization of training in police administration offered by the Harrisburg Community College.

Commission Comment: The Commission commends the Harrisburg Police Department and the individual personnel thereof who are, and have been, attending courses offered by the Harrisburg Area Community College pertinent to police duties. This training resource should be expanded by the establishment of "answer to need" courses for both police and fire department personnel of the City of Harrisburg and area communities.

- d. The Police Department will expand the Police-Community Relations Team and plans to provide this section with official transportation and other equipment and facilities.

Commission Comment: This commitment should be a top priority action of the Police Department.

- e. NOTE: Subsequent to the investigatory Hearings and prior to the issuance of this report official statements have been made, and published, regarding the planned reorganization of the Harrisburg Police Department. Also, official statements concerning the new City Government to be installed in early 1970 have referred to the planned appointment of a Director, or Commissioner, of Public Safety who would exercise command and administrative control and direction of the Harrisburg Police and Fire Departments.

Of further note was the official request for additional salary for Harrisburg Police: \$1,000 per annum higher pay scale would be an incentive for capable individuals to seek employment in police work.

We also note the retirement of the Acting Chief of Police and other police officers subsequent to the investigatory hearings and express sincere hope that commitments made by these persons during testimony before the Commission will be positively acted upon by successor officials.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

2. Police-Community Relations :

a. The Mayor of the City of Harrisburg, via public news media, announced on the 21st of October, 1969, the following positive program:

- (1) Appointment of a Director of Public Safety in January, 1970, to be screened from ten superbly qualified applicants. A Chief of Police not to be appointed until after the installation of, and with full approval of, the new Director of Public Safety.
- (2) An Eight-Point Anti-Violence Program to be implemented immediately:
 - (a) The most ambitious coordinated attempt yet made by any community to attack and resolve the problem of juvenile use of narcotics.
 - (b) Expansion of the Harrisburg Police Department's Community Relations Unit with policy to more fully integrate it into the general work of the Police Department and of the Youth Bureau in particular.
 - (c) Request the City Council to find and obtain new and adequate quarters for the Police Youth Bureau immediately.
 - (d) Careful review of the attitudes and the records of all officers in the Police Department who have sensitive leadership responsibilities. When there is evidence that personnel have been creating problems, not solving them, transfer or other appropriate action will be taken.
 - (e) A request to the Urban Coalition and others to set up, with cooperation of the Police Youth Bureau and the City Schools, an individualized program of adult supervision for youths who have begun to show indications of heading for serious trouble.

VI. SUMMARY:

A. Positive Commitments by Authorities -- Continued:

2. a. (2) (f) An invitation to City youth to form an advisory group to serve as their own channel of communication with City government and to maintain a voice in anti-violence programs.

(g) An appeal:

/1/ To the Dauphin County authorities to improve the Dauphin County Detention Home and,

/2/ To the Courts to treat young hoodlums with the severity the safety of the community demands.

(h) A coordinated program to press for a law requiring the State of Pennsylvania to pay for public safety services it receives in the City of Harrisburg.

Commission Comment: Although these public statements were made in the heat of a political campaign by the Mayor who was not successful in seeking re-election, the Commission must agree that these are valid goals. Sensitive attainment would be a major factor in the reduction of racial tensions in the City of Harrisburg.

3. Commitments to Support the Police-Judicial Systems:

Most evident throughout the investigatory hearings was the stark misunderstanding of the separation of the roles of the police and of the magistrates courts and of the higher courts. The police, as of now, are held as responsible by the Black community for the actions of the courts.... i.e. for the amount of bail, for the sentence imposed, etc.

Forthcoming during the hearings were several commitments of a positive nature dealing with this area of concern:

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

3. Commitments to Support the Police-Judicial Systems:

- a. The Dauphin County Legal Services Association will continue to assure legal advice and support for those persons who cannot afford legal services from the time of arrest until the individual case reaches the stage of grand jury action. This is a voluntary service to assure each person of complete protection of their civil rights.
- b. The Public Defender's Office of Dauphin County is designed and mandated to assist the individual not able to afford private counsel in each individual case held for Dauphin County Court.
- c. The Dauphin County Legal Services Association is conducting and will continue a program of instruction as to the law in the schools of Harrisburg and of Dauphin County.

Commission Comment: The Black Community of the City of Harrisburg, through testimony and demonstrated attitudes, is not aware of the separation of the the roles of the police and of the courts. The above commitments are a major step in the developing of this awareness most essential in the community. A public news media editorial of continuing nature on the above commitments would be of value to the community as a positive informational program.

4. Public Service Program:

- a. The Dauphin County Legal Services Association, in the period of less than two years, has processed approximately 3400 complaints or requests for assistance. The areas of concern where the Association has been, and will continue to be, effectively involved include:
 - (1) Landlord - tenant problems.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

4. Public Services Programs - continued:

- a. (2) Consumer problems. To include such problem areas as retail stores catering to low-income neighborhoods charging up to 30% more for goods, services and credit. Failure of the vendor to service appliances as warranted, etc.
- (3) Contract problems. To include legality of contract and contracts not adhered to by the seller or servicer.
- (4) Domestic problems.
- (5) Other civil area problems.
- b. This is a continuing program, staffed by volunteers, designed to assist the community, and most particularly those low-income persons who otherwise would be deprived of legal services. The intent is to expand this legal service program.

Commission Comment: Again, the Commission commends those community-service minded individuals and organizations who staff this most noteworthy program. The apparent need is for the dissemination of information concerning this available service throughout the community.

5. Positive Commitments in Housing and Related Areas:

a. Hamilton Area Neighborhood Development Program:

- (1) Project involves 3300 dwellings wherein 50% of the substandard housing in Harrisburg is located. Objective being entire neighborhood upgrading without the old "bulldozer" approach.
- (2) This is first Harrisburg area project wherein the people resident within the concerned neighborhood have an integral and meaningful part in the planning and decision making processes from the beginning to program fruition.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

5. Housing and Related Areas:

- a. (3) Hamilton Project is the keystone of the Harrisburg Community Renewal Program. Inclusive not only of housing, but recreation and the establishment of essential neighborhood support facilities and services.
- b. Model Cities Program:
 - (1) The Hamilton Area Project is the major thrust of the Harrisburg Model Cities Program at this time.
 - (2) The City of Harrisburg has received from the Pennsylvania Department of Community Affairs a planning grant advance in the amount of \$ 133,000.
 - (3) Development of neighborhood organizations such as "HUNT", to be truly representative of the residents of the concerned neighborhoods will continue. The policy and intent is to fully involve the residents of the community in the planning and decision making processes of all programs.
- c. Harrisburg Housing Authority:
 - (1) The Authority has received approval of Section 23 application (Scattered Site Lease Housing Program) for the acquisition of 163 units. The Authority, at time of the hearings, has under lease 47 of these authorized units and is actively seeking to fill the entire program allotment.
 - (2) The Housing Authority has tentative planning for an additional supply of housing for low income families.
- d. Harrisburg Redevelopment Authority:
 - (1) Continuing program of cooperation with, and support of, non-profit sponsors in extremely successful program of rehabilitation of housing for resale to low-income purchasers.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

5. Housing and Related Areas:

d. Harrisburg Redevelopment Authority:

- (2) Planning construction of 126 unit project for the elderly.
- (3) Planning for approximately 700 low-cost units as sites are identified and obtained.

e. Harrisburg Planning Commission:

Now involved in an imaginative plan to entirely restructure downtown Harrisburg. This restructuring will be major in scope and positive in concept and application.

f. Housing Code Enforcement:

Positive action will be taken to upgrade the code enforcement program through such actions as increase of salary to attract best qualified personnel and full-scale application of code enforcement officer training programs. The code enforcement staff is to be expanded. Full advantage will be taken of federally supported code enforcement programs.

6. Recreation:

- a. In the eighteen month period prior to the July, 1969 investigatory hearings, the City of Harrisburg has developed eight (8) new playgrounds and two (2) swimming pool - recreation complexes.
- b. The City recreation program has been expanded into a year-round comprehensive diversified, and full facet program under the direction of an integrated professional staff.
- c. Harrisburg plans further expansion of the recreation program and the acquisition and construction of additional facilities.

VI. SUMMARY:

A. Positive Commitments by Authorities - continued:

7. Employment:

- a. The City Administration will request the Harrisburg Civil Service Board to review and change the policy of including a picture with the application now required of all applicants for employment as police and firemen as this is a denotation of race not consistent with the provisions of the Pennsylvania Human Relations Act.
- b. The open and public commitment of the Mayor's Advisory Committee, the Office of the Mayor, the Greater Harrisburg Movement, the Downtown Harrisburg Associatic, the Black Coalition, the Chamber of Commerce, CEO Enterprises, Ghetto Enterprises, Urban Coalition and others for the constantly developing awareness and press for positive action in the priority filed of employment.

8. Public Services:

- a. Constant monitoring and positive direction by the Office of the Mayor and by the City Council to assure that adequate and equitable public services are provided all neighborhoods and areas of the City.
- b. An open-door immediate response citizen complaint avenue through the neighborhood offices of an expanded Police-Community Relations Unit or, the Office of the Mayor.
- c. An ever increasing awareness and response to the needs of all citizens.

VI. SUMMARY:

B. Commission Conclusion and Comment:

It is sincerely hoped that the investigatory hearings conducted in the City of Harrisburg in July, 1969, served a useful purpose. Certainly, they provided the means by which persons who ordinarily do not engage in person-to-person communication were able to exchange ideas and convictions, engage in dialogue, air grievances and suggest or commit means to overcome the cause of grievances.

The Commission must emphasize the increasing need for the development of understanding among peoples and the absolute necessity for the provision by the City of Harrisburg of an ordinance based authority that, through educational and compliance processes, shall be an effective instrumentality in the attainment of racial harmony.

The Commission places great reliance in the commitment of authorities and citizen groups for the accomplishment of the positive actions elicited through testimony and herein presented as a part of this summary. Even though individuals representing authority or organizations may change, the commitment of the representative of authority or organization should survive and be followed-through for attainment in each instance.

The Pennsylvania Human Relations Commission will assist all parties, to the best of its abilities and resources, to carry out the many recommendations set forth in this report.

